# The Sydney Morning Herald.

"IN MODERATION PLACING ALL MY GLORY, WHILE TORIES CALL ME WHIG—AND WHIGS A TORY."

TERMS OF SUBSCRIPTION.
*Sydney, Fifteen Shillings per Quarter. Single Numbers, Sixpence. Country, Seventeen Shillings and Sixpence per Quarter. Ten per cent. discount for payment in advance, and ten per cent. added if accounts are allowed to run over six months.*

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CASH TERMS FOR ADVERTISEMENTS:
*For one inch and under, Three Shillings, and One Shilling for every additional inch, for each insertion.*

*The only persons authorised to receive Moneys and Communications on account of the "SYDNEY MORNING HERALD" (except at the Office of Publication, Lower George-street, Sydney) are* MR. JOHN HARRIS, *and* MR. WM BALL, *Collectors, Sydney;* MR. JOSEPH HUNT, *Balmain;* MR. T. M. SLOMAN, *Bathurst;* MR. LARSEN WATTS, *Windsor;* MR. HUGH TAYLOR *Parramatta;* MR. A. W. LARYMORE, *Maitland and Wollombi;* MR. JOHN BROWN, *Campbelltown;* MR. JOHN COLEMAN, *Penrith;* MR. FISCHAM, Postmaster, *Wollongong;* MR. ROBERT CRAIG, Cabinetmaker, *Goulburn;* MR. JOHN M'KINLAY, *Postmaster, Cassilis;* MR. JOHN GRAY, *Queanbeyan;* MR. ARTHUR BROWN, Deputy Postmaster, *Singleton and Jerry's Plains;* MR. WILLIAM PRITCHARD, Deputy Postmaster, *Liverpool;* ——, *Berrima;* MR. DAVISON, Surgeon, *for the District of Yass;* MR. PIERCE HEGARTY, *Muscle-brook and Merton;* MR. WILLIAM BARNERD RHODES, *Wellington, for Port Nicholson and Cook's Straits, New Zealand; who are provided with Printed Receipts, with the written signatures of "KEMP AND FAIRFAX," who hereby give Notice that no other will be acknowledged for debts accruing from January 1, 1841.*

*The "SYDNEY MORNING HERALD" is Published every Morning (Sundays excepted); and the Quarters end the 31st March, 30th June, 30th September, and 31st December; at which periods* ONLY *can Subscribers decline by giving Notice and paying the amount due to the end of the Current Quarter.* ADVERTISEMENTS *must specify on the face of them the number of times they are intended to be inserted, or they will be continued till countermanded, and charged to the party. No Advertisements can be withdrawn after Eleven o'clock, a.m., but new ones will be received until Nine o'clock in the Evening. No verbal communications can be attended to, and all letter must be post paid, or they will not be taken in.*


## SPECIAL NOTICE.

THE Subscribers to this Paper, and the Public generally, are respectfully informed, that the following Rules are strictly adhered to:—

*In Sydney.*—No new Subscribers will be received without *one quarter* being paid in advance, for which ten per cent. will be allowed; the subscription in advance being 13s. 6d. per quarter.

*In the Country.*—No new Subscribers will be received without *half-a-year* being paid in advance, for which ten per cent, will be allowed; the subscription in advance being £1 11s. 6d. per half-year; and the Proprietors must be furnished at the time with a written undertaking that all future payments, both for subscription and charges of advertisements, shall be made in Sydney, or by the hands of an Agent.

In all cases, whether in Town or Country, the names of persons will be struck off the subscription list, when the arrears against them have stood over twelve months, and proceedings for recovering the amount due will be instituted.

No Advertisements will be received from persons who are not Subscribers without payment in advance, either by remittance or an order upon some responsible individual in Sydney.

In all cases of Insolvency, when the party is a Subscriber to this Journal, the name is at once erased from the Subscriber's Book; and if he wish to take the paper in future, he must comply with the rule affecting new Subscribers, and pay in advance.

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FOR LAUNCESTON.

THE fast-sailing packet brig *DAWSON*, Captain Carder, (a regular trader), will sail on Wednesday, 8th proximo, weather permitting.

The *HEREFORD*, Captain Raeburn, 12th proximo. For freight or passage apply to the Captain, on board; or, to

GEORGE SMALL, George-street.

October 28. 5958

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FOR THE BAY OF ISLANDS, AUCKLAND, TAHITI, AND THE SANDWICH ISLANDS,

THE *LADY OF ST. KILDA*, A 1, burthen 140 tons, G. W. Jackson, master. For freight or passage apply on board, at Campbell's Wharf, or to GADSDEN AND SUWERKROP, Agents, George-street.

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FOR HONG-KONG,

ON 2ND NOVEMBER,

THE fine A1 clipper schooner *ALLIGATOR*, 220 tons O.T., R. Cook, commander,—has superior accommodations for passengers. For freight, or passage, apply to the Commander, on board, or to MESSRS. CAMPBELL AND CO., Campbell's Wharf.

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FOR HONGKONG DIRECT,

TO SAIL IN THREE WEEKS FROM THE PRESENT DATE,

THE fine fast-sailing A1 barque *ASIATIC*, 403 tons per register, G. Barlow, Commander. This vessel will be found a very eligible opportunity for the conveyance of horses, cattle or sheep, to the above settlement. Her accommodation for passengers is superior.

Terms—Steerage passage £10 10s. Horses, fit for conveyance and fittings, payable in Sydney, for each horse shipped; or the shipper to have the option of providing the same at his own cost, and £15 payable at Hongkong on each number as are safely delivered over the ship's side.

Application for freight or passage to be made to the Captain, on board; or to THACKER, MASON AND CO.

Fort-street, October 26. 5741

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FOR LONDON DIRECT.—FIRST VESSEL.

THE fine fast-sailing clipper-built brig *ANN*, W. Squire, R. N., commander, will positively sail on Saturday, the 4th instant. Passengers required to be on board on Friday evening.

J. T. ARMITAGE AND CO.

November 1. 6040

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FOR LONDON DIRECT,
THE FIRST WOOL SHIP.

THE new, first-class, fast-sailing ship *PERSIAN*, 600 tons, C. F. Oppenheim commander, is now taking her dead weight on board, and will have the earliest despatch as the Wool Season progresses. She has just discharged her Loading cargo in the *primest* order, and is a most desirable opportunity for the *dry* conveyance of Wools. For passengers, either cabin, intermediate, or steerage, her accommodations are of the most superior description: she has full poop, and will carry an experienced surgeon. For freight or passage apply to the Captain, on board, in Campbell and Co.'s Wharf, or to COOPER AND HOLT, Waterloo Warehouse.

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FOR LONDON DIRECT,

FROM LIGHT FREIGHT AND PASSENGERS ONLY,



THE FINE BARQUE *FANNY*, A 1, 300 tons, M. Andrew, Commander. For freight or passage, apply to the Captain, on board; to A. Gore; or to J. B. METCALFE

October 26. 5779

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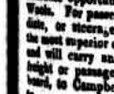
FOR LONDON,

TO SAIL ON THE 10TH DECEMBER.



THE new British-built Barque *CONSTANT*, 535 tons, John Hemery, Commander, has good accommodation for passengers, and carries a surgeon. For freight or passage apply to the Commander, on board, or to THACKER, MASON, AND CO.

Sydney, October 17, 1843. 5949

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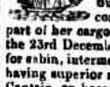
FOR LONDON DIRECT,

TO SAIL ON THE 23RD DECEMBER,



THE fine fast-sailing Ship *WILSONS*, Burthen 565 tons, P. Hourston, commander, having the greater part of her cargo already engaged, will sail on the 23rd December. For freight or passage, both for cabin, intermediate, and steerage passengers, having superior accommodations, apply to the Captain, on board, or to J. T. ARMITAGE AND CO., King-street.

5203

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FOR LONDON DIRECT,

THE fine, fast-sailing Barque *MONTEZUMA*, burthen 199 tons, William Selkirk, master, having the principal part of her cargo engaged, will meet with quick despatch. For freight or passage apply to the Commander, on board, or to LAMB AND FARBURY.

3065

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FOR LONDON DIRECT,

THE FINE BARQUE *FORTITUDE*, A1, 252 tons, George Arbuthnot, commander. For freight or passage apply to the captain, on board, or to J. B. METCALFE.

October 14, 5224

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FOR FREIGHT OR CHARTER TO LONDON DIRECT.

THE well-known fast-sailing barque *ISABELLA ANNA*, 226 tons register.

This vessel has very superior accommodations, and offers an excellent opportunity to persons desirous of making a quick passage, as it is confidently expected she will make the passage home in three months.

For light freight or passage apply on board, or to H. JOHNSON,

Corner of George and Market streets. 4988

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EXCHANGE UPON LONDON,

THE Royal Bank of Australia hereby give notice, that they will sell their Drafts, or Scotch Bank acceptances, payable in London, at two per cent.

J. P. ROBINSON, Resident Director.

Office, No. 2, Church-hill. 5857

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A GENERAL MEETING of the Free and Accepted Masons of Sydney will be held at the Masonic Hall, York-street, on Friday, the 3rd day of November instant, on very special business.

HERCULES WATT.

November 1. 6013

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TO PARENTS AND GUARDIANS.

MR. HENRY JOHN HATCH, of Magdalen College, Cambridge, assisted by a married graduate of the same University, proposes to open an Establishment in the neighbourhood of Sydney, for the Education of a select number of gentlemen's sons.

Mr. Hatch was educated at Eton, and since leaving Cambridge has been engaged as private tutor in the families of Mr. Lawrence Peel, Sir E. Knatchbull, and the Hon. C. D. Riddell, and has had charge of the sons of several influential gentlemen since his residence in this Colony.

The Classics will be taught upon the plan adopted in the public schools in England and the Mathematics as at Cambridge, by his co-adjutor, who is an eminent mathematician.

Terms for Boarders, sixty guineas per annum. For day pupils, twenty-five guineas per annum.

Early application is requested to Mr. H. J. Hatch, at his present residence, No. 2, Bardekin's Terrace, *Hyde Park*, as the number will be limited.

October 25. 5783

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IMPORTANT NOTICE TO THE PUBLIC.

TEETH.

MR. J. EMANUEL, Surgical and Mechanical Dentist, begs to inform his Patients and the Public in general that having received a large supply of Mineral and Natural Teeth from Paris, he is enabled to reduce his charge of supplying Artificial Teeth from £2 2s. to £1 10s. each Tooth; he trusts that this low scale of charge will suit the depression of the times. Also, the charge of Drawing Teeth (the usual charge being 5s.) to 2s. 6d.; the Dentist being preferred to the Chemist.

Artificial Teeth, guaranteed to answer every purpose of articulation and mastication, fixed without extracting stumps; also, sets of Teeth by self adhesion without springs or clasps.

Every operation incidental to Dental Surgery.

Loose Teeth fastened, arising from neglect or the frequent use of calomel. Mr. Emanuel's Cement for stopping Decayed Teeth, however tender, without the slightest pain; the tooth warranted to keep the same colour. Those persons who have had their teeth stopped with any but the Cement of Mr. Emanuel will find not alone that the tooth is black, but the adjacent ones also. Mr. E.'s specimens having been much admired by several gentlemen of the faculty, he will be most happy to show any lady or gentleman his plan, without any fee for consultation. Mr. Emanuel's diploma, which he received from the Medical Board of Holland in the year 1836, to practise as Surgeon Dentist, can be seen daily.

LIST OF CHARGES.

| | £ | s. | d. |
|---|---|---|---|
| A single Artificial Tooth..... | 1 | 10 | 0 |
| Stopping, Cement, and Gold Leaf | 0 | 10 | 0 |
| Cleansing Teeth ..... | 0 | 10 | 0 |
| Drawing Teeth ..... | 0 | 2 | 6 |

At home from nine a. m. till six p. m. Teeth extracted Sunday mornings from nine till twelve.

George-street North, opposite Bridge-street. 5983

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REMOVAL.—The offices of the *Morning Herald* have been removed to premises in George-street, exactly opposite those recently occupied.

*Sydney Morning Herald* Office. October 4.

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MESSRS. GOWLAND & WILLIAMS Solicitors, beg to announce to their friends that they have removed their offices to No. 72, George-street, Sydney, near the Royal Hotel. 5346

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CITY AUCTION MART.

ISAAC SIMMONS intends holding sales of Merchandise twice a week, and will be happy to receive all kinds of goods for sale by auction, on reasonable terms. Sales effected for Cash, and the proceeds handed over immediately after the sale.

October 16. 5628

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CHEAP SUMMER CLOTHING.

RECEIVED by the undersigned,—Cashmere frock and dress coats, white drill and fancy gambroon trousers, white quilting and fancy waistcoats.

5766 ROBERT BOURNE AND CO.

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WHALEBONE.

TWO tons Whalebone, on sale by the undersigned.

D. JONES & CO.

George-street, 30th October. 5990

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FOR HOME VIEWS ON AUSTRALIA

SEE THE

*EMIGRATION GAZETTE AND COLONIAL ADVOCATE*,

The largest Stamped Colonial Newspaper in London,

EDITED BY N. DORAN WALLARD, ESQ., Author of "National Guarantee," "History of Texas," "Indian Hunter of the Far West," &c.

PUBLISHED EVERY SATURDAY, PRICE SIXPENCE.

THIS valuable Paper, established in 1841, is a complete mirror of the Colonial Press, and circulates through the whole of the Emigration Districts in the United Kingdom and, therefore, presents the greatest facilities for Colonial Advertisements in the Mother Country, being the only HAND-BOOK OF REFERENCE FOR INTENDING EMIGRANTS, by which they can obtain information respecting the various Colonies they intend to visit, and the accommodations on its Board, Lodging, for Travelling to be obtained on their arrival; and it furnishes also, for the same reason, an excellent medium for advertising the Sale of Colonial Lands, Farms, and other Property, and also Colonial Banks and Assurance Companies: of the existence of such valuable institutions in the Colonies people in the Mother Country are almost entirely unaware, and, therefore are induced to transact, before leaving home, that business which they would otherwise gladly leave till their arrival in the colonies.

THE EMIGRATION GAZETTE AND COLONIAL ADVOCATE has always devoted its pages to advocating the various Colonial interests, not only affording to the intending Emigrant the fullest stores of information respecting the climate, soil, productions, commerce, and various advantages of each particular Colony, and promoting, to the greatest extent, the various streams of Emigration to their shores; but also, in the fairest and fullest manner, advocating and promoting the Colonial interests at home, so that they may be kept constantly before the public eye, their grievances redressed, abuses removed and discouraged, and the greatest possible advantages secured. The efforts of this Paper being thus constantly devoted to prevent the Emigration of British capital and industry to foreign countries, and direct it to the British Colonies, the Proprietor confidently urges his claim to the support of the Colonial community, and solicits the subscriptions and advertisements of British Colonies to his Paper.

TERMS—To colonies, postage free, subscription £1 8s. per annum; Colonies, where postage is charged in England, £1 10s. 4d. per annum. Advertisements—Twelve lines and under, 5s., and 6d. for every additional line. A reduction of ten per cent. on quarterly insertions, fifteen per cent. half-yearly, and twenty per cent. if for twelve months (duty included) All subscriptions and advertisements payable in advance.

P. S. Summaries of exclusive commercial, political, and personal intelligence, up to the departure of the Colonial Mails, are supplied by the Editor to Colonial Newspapers at £25 per annum.

*Emigration Gazette and Colonial Advocate Office, 75, King William-street, City, London.* 2076

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TO TRAVELLERS AND COUNTRY SETTLERS.

JAMES STEWART, of the Woolpack Inn, Brickfield-hill, near the Hay Market, Sydney, begs leave to return thanks for the liberal support he has received since he commenced business, and takes this opportunity of informing his friends, that the report so industriously circulated in many parts of the country of his having relinquished business is without the slightest foundation.

Bullocks supplied with good feed in secure paddocks, with plenty of water, at the rate of three pence per head per night.

Woolpack Inn, Brickfield-hill, near the Hay Market, Sydney.

N.B.—Every accommodation for settlers as usual, on the most reasonable terms.

October 28. 5871

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ALBION BREWERY.

THE Undersigned has to inform the public that they can be supplied with beer as heretofore.

R. THOMSON, Elizabeth-street South.

October 31. 6037

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RETIRING FROM BUSINESS.

UNRESERVED SALE BY PUBLIC AUCTION, OF SILK AND BEAVER HATS, TRIMMINGS, WOOLLEN CLOTHS, HOUSEHOLD FURNITURE, PHAETON, AN INVOICE OF WATCHES AND JEWELLERY, &c., &c.

MR. JOHN COYLE begs leave most respectfully to return his best thanks to his numerous friends and the public for the generous support he has received during six years' residence in this City as Hatter, Draper, &c., and to inform them that, in consequence of his now retiring from the above line, his whole Stock-in-Trade, consisting of silk and beaver hats, woollen cloths, trimmings, household furniture of every description, a handsome light phaeton, watches and jewellery, &c., will be brought to the hammer, on the premises, by Mr. CARFRAE, on TUESDAY, the 7th day of November next, at eleven o'clock precisely.

Particulars of the Sale will be announced by Mr. Carfrae in a few days; meantime the premises are undergoing a thorough change, and will be remodelled and fitted up as Auction Rooms of the first class.

All outstanding debts are requested to be paid immediately, to save the expense of litigation.

George-street, Sydney. 5841

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TO
UPHOLSTERERS, BOOKBINDERS, HATTERS, AND OTHERS.

W. WYATT has received a fresh supply of Fancy Morocco, Roans, Calf-skins and Skivers, white Kid-skins for Masonic aprons, patent Calf-skins, Goat-skins, Cape Sheep ditto, Jockey Boot-tops and legs, Wellington and Clarence Buck-skin Boot-fronts, striped Calf, Goat, and Seal skin Binders; with a large supply of Shoemakers' Grindery, Curriers' Tools;—and the usual assortment of Colonial Leather, warranted of the best manufacture, which is now offered for sale at the lowest possible prices.

*Stores*, Pitt-street. 5764

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BARGAINS! BARGAINS!!

FLOOR CLOTHS, splendid patterns, 4s. per yard

Horse-hair Mattresses, large size, 40s. each
Very best ditto, ditto, 30s each
Cane seat Chairs, 4s. 6d. each
Toilet Glasses (best plates) from 10s. each.

At H. JOHNSON'S,

6006 Corner of George and Market streets.

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FLOOR CLOTHS, from one-half to eight yards wide, at 4s. per yard

Kidderminster Carpets, at 3s. per yard

Also: A large assortment of colonial-made Cabinet Furniture, with Mattresses, Feather Beds, and every article in the line, to be sold at cost price, at my Manufactory, No. 55, Pitt-street,

JOSEPH SLY.

N.B. Four houses to be let, at Newtown. 5906

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TO GENTLEMEN.

MESSRS. PITE AND PRESTON beg to call the attention of gentlemen to their TAILORING DEPARTMENT, having now for inspection choice selections of materials for the APPROACHING SEASON.

A very superior lot of SHRUNK MILITARY DRILLS AND DUCKS, which will be found superior to any in the colony. Also, white Marseilles Quiltings of the newest patterns, with fancy printed Cashmere silk and satin vestings.

Extra super LUNETTE CLOTHS and patent CASHMERES (for summer coats), Gambroons, Doeskins, &c., &c.

Pite and Preston would more particularly solicit the favours of settlers and gentlemen from the interior, having now on hand some COLONIAL TWEEDS of an improved texture, and gentlemen can at all times depend upon having an entire suit MADE TO MEASURE, with cut, quality, and workmanship, of the FIRST ORDER, in TEN HOURS.

A complete assortment of every description of ready-made clothing constantly on hand superior grass cloth and shrunk drill jackets duck and drill trousers, white quilting vests, &c.

P.S. In order to meet the present depressed state of the times, the list of prices has been remodelled, as now exhibited in the department, and on inspection will be found lower than has ever been quoted by any respectable house in the colony.

Emporium, 34, Pitt-street 6008

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W. COLEMAN has just opened several packages of New Goods, amongst which will be found

Black hats
Umbrellas
White counterpanes
Cotton ticks
Linen checks
Lawns
Calicoes
Long cloths
Shirts
Moleskins
Slops of every description
Braces

And a general assortment of hosiery and haberdashery.

No. 5, George-street, opposite Peck and Campbell's. 2574

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SLOPS.

MOLESKIN and Cord Trousers
Duck frocks and trousers
Plush and Valentia waistcoats
Drab Witney shepherds' coats
Blankets, rugs, calicoes, and prints
Colonial tweed suits, &c.

May be obtained of the best quality, and at the lowest prices, at

PITE AND PRESTON'S,

6007 Emporium, Pitt street, Sydney.

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BILLIARD TABLE

THE undersigned have ON SALE, at their Stores—

ONE of THURSTON'S superior improved full-sized BILLIARD TABLES

With PETVOSIAN STAFF BEDS, India rubber cushions, massive turned legs, adjusting screw feet, button ornaments, mouldings, and French polished, with all the fittings in a most complete style.

ALSO,

ONE full-sized ROUND BILLIARD TABLE, by THURSTON

Plain and fancy CUES
BILLIARD and POOL BALLS
BILLIARD and POOL-MARKING BOARDS
*Books of the* GAME, with many PLATES
Four and five-motion Beer Engines
Eight and ten-cock Spirit Fountains
Pewter Spirit Forces
Pewter Spirit and Beer Measures.

AND

One of Galloway's Patent WOOLPRESSERS, on the latest and best construction
Woolbagging, Woolpacks, and Twine
Europe Cordage of sizes
Prime Mess Pork in half and whole barrels, warranted
First quality Cabin Biscuit
Four Spars fit for Masts.

6043 A. & S. LYONS.

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TO FAMILIES.

HORROCK'S LONG-CLOTHS, a little soiled, at 7d. a yard, usually sold at 14d., on sale by

ROBERT BOURNE AND CO.,

6009 37, Pitt-street.

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SPLENDID SUMMER WINES.

JUST RECEIVED and on Sale at the Stores of the undersigned—

Hock, Sauterne, Moselle, Barsac, Claret, Bucellas, Constantia } in pints and quarts of three and six dozen cases

Sparkling Champagne in one and three dozen cases

Fine Old Port in pints and quarts

Pale, Gold coloured, and Brown Sherry, in ditto ditto

Raspberry and Lemon Syrup, in one dozen cases

Prime Champagne Devonshire Cyder, in three dozen casks

Lime Juice in hogsheads, of a superior quality for Whalers.

The above Splendid lot of Wines will be sold at LONDON COST PRICES, to close a partnership account.

6043 A. & S. LYONS.

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LAUNCESTON FLOUR.

THE undersigned has a further supply of Launceston Flour, which he can sell considerably under Mill prices.

THOMAS S. MORT, Auctioneer and Stock Broker.

Auction Rooms, opposite Bank of Australasia. 5865

---

ON Sale, at the Stores of the undersigned, the following Teas, imported by them ex

*TRINIDAD* and *DAWSON*,

Hyson-skin and Congou, in chests and half-chests; Pouchong, Pekoe, Hyson, and Gunpowder, in boxes.

Good ration sugar, and bright grocers' sugars of various qualities and importations.

THACKER, MASON, AND CO., Fort-street.

5856

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ON SALE, at the Stores of the undersigned—

Forty tuns black Oil
Three tons Whalebone
Two and a half tons Arrowroot

A. MOSES, Bridge-street.

October 31. 6053

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EIGHT HUNDRED HEAD SPLENDID CATTLE, WITH STATION, &c.

FOR PRIVATE SALE, a very choice Herd of Cattle, perfectly quiet, bred from the very first stock in the colony, principally consisting of milch cows and fat bullocks, now depasturing on one of the finest stations within the boundaries of New South Wales, and distant from Sydney only 150 miles.

Full particulars and terms may be learnt on application to the undersigned.

T. S. MORT, Auctioneer and Broker.

Auction Rooms, opposite the Bank of Australasia. 5836

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TO SHIPPERS OF LIVE STOCK.

THE undersigned has just received from the Hunter River a prime lot of Lucerne Hay, suitable for any description of stock on board ship. The great advantage of Lucerne Hay—that it requires very little water while using, and that it keeps the stock in good condition.

Oaten Hay, Maize, (2s. per bushel in quantities of twenty bushels), Bran, &c.; also, a quantity of inferior hay for litter, to be sold cheap.

HENRY FERRIS, Commission Agent.

York-street. 5956

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NEWCASTLE COAL.

NOTICE.—The price of Coal at the Australian Agricultural Company's Wharf, Miller's Point, has been reduced one penny per bushel, or two shillings and eight-pence per ton of thirty-two bushels.

PHILIP P. KING, Commissioner Aust. Agr. Company.

November 1. 6038

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TWELVE HUNDRED TONS OF MERCHANDISE.

THE Undersigned are now landing, ex *ITUNA*—

50 hogsheads Taylor's double brown stout
500 sheets copper, 20, 22, and 24 oz.
5 kegs sheathing nails, 1½ in.
20 barrels Stockholm pitch
20 " " tar
50 cans boiled linseed oil
60 kegs best white lead
50 kegs black paint
30 hogsheads Martell's best brandy
20 hogsheads B.F. rum, 10 O.P.
100 cases Geneva, *red cases*
25 hogsheads strong Tarragona red wine
25 quarter-casks Marsala
200 boxes Hawe's first quality soap
400 dozen Dunbar's ale and porter
10 barrels pulverised cream tartar
10 barrels refined saltpetre
40 boxes Colman's starch
20 boxes thumb blue
10 barrels Cheame raisins
4 caroteels Patras currants
10 pockets fresh Kent hops, "Turner's"
50 firkins best Irish butter
28 coils patent cordage, 1½ inch to 4½ inch
30 cases mustard, pounds and half-pounds
657 sacks containing 50 tons, Liverpool salt
66 bundles hoop iron
3 cases Hallet's best white moleskin clothing
90 bolts best bleached Coker canvas.

ALSO:

IN STORES IN BLIGH-STREET AND IN BOND—

30 hogsheads Hennessey's brandy
20 hogsheads Kisat's ditto
30 hogsheads pale gin
800 thousand Manila cigars, 4s and 5s
50 kegs negrohead tobacco
400 thousand Kyongee and Chinsurah cheroots, Van Zan Dyk's
280 tons sugar, Taal, Zebu, and Java
1400 chests hysonskin tea; fine teas, in boxes
Cargo of Cape wine, ex *Eleanor*
100 boxes starch
200 boxes blue
1200 bags very superior Java and Manila coffee
300 cases port, sherry, claret, and sauterne
London particular Madeira, and pale sherry, in timber
70 hogsheads Taylor's, Truman's and Elliot's stout
Dunbar's, Rutson's, and Byass's ale and porter in bottle
50 tons Liverpool soap, 56 lb. boxes
80 cases turps, 8½ gallons each
15 tons coir rope
White and black pepper
Cloves and nutmegs; Leman's biscuits
White and brown ginger
Sago and sago flour; China preserves
100 firkins prime Irish butter
Manila rope and Bengal canvas
Heavy woolpacks; sheepskins and dray covers
1300 bags superior Patna rice
160 boxes Hawe's London soap
20 bales blankets
15 bales slop clothing
Osnaburgh, and tarpaulin canvas
80 bales gunny bags
E. I. saltpetre; curry powder
Bar, bolt, and nail rod iron
Iron pots, spring and cast steel, patent shot
50 barrels patent cement
600 sheets copper sheathing
10 barrels Epsom salts
Devonshire cider, in bottle
Champion's vinegar, in barrels
&c., &c., &c.

R. CAMPBELL, JUN., AND CO.

Bligh-street, October 27. 5863

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JUST LANDED, and on Sale at the Stores of the undersigned—

Five hundred bags Liverpool Salt.

Also, Colonial Produce,

One thousand prime Bathurst Cheeses
Three tons very superior Colonial Butter.

JOHN STIRLING,

6062 Lower George street.

---

FOR SALE, at the TANNERY of the undersigned, COLONIAL LEATHER of every description, of the very best manufacture, for the lowest possible cash prices.

G. B. RICHARDSON.

N. B. Settlers and country storekeepers supplied with BOOTS, SHOES, LEATHER, &c., upon the most advantageous terms.

Liverpool, George street, October 26. 5973

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MORETON BAY.

TO BE SOLD, a herd of superior well bred Cattle, consisting of 60 Cows, 70 Heifers, 70 Steers, and 2 first-class Bulls. The right of station, extending over a large well-watered district, with Verandah Cottage, Stock yard, and Offices, will be given in with the above, which will be disposed of on reasonable terms. Application to be made to

THACKER, MASON, AND CO., Fort street.

3753

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MARES.

TWENTY very powerful Mares will arrive in the course of the week, at Armstrong's Repository. They are a choice selection from the stud of one of the most sporting men in the colony, who is allowed to be one of the best judges of horse flesh.

One day's notice will be given of their sale by auction. 6054

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MOLLES MAINS.

THE above Farm, comprising 1600 acres, with an abundant and never-failing supply of grass and water, and only thirty-three miles from Sydney, on the Cowpasture Road, is opened for the reception of either Horses or Cattle, which will be taken in to graze for any length of time, under the following charges:—

| | £ | s. | d. |
|---|---|---|---|
| Horses, per head, per year.. | 2 | 0 | 0 |
| Cattle, ditto ditto..... | 1 | 0 | 0 |
| Horses, per head, per week.. | 0 | 1 | 0 |
| Cattle, ditto ditto..... | 0 | 0 | 6 |

Good and secure Paddocks for Working Bullocks and Fat Cattle.

Parties desirous of sending their Stock must apply either personally, or by letter post-paid, to the undersigned, on the Estate.

5979 WILLIAM LUMSDAINE.

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THE Undersigned will purchase for Cash, or make advances on Wool of the ensuing clip consigned to their correspondents in London, Messrs. Magniac, Jardine, and Co.

THACKER, MASON, AND CO., Fort street.

6027

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ADVERTISEMENT.

WHEREAS, Mr. James Ward, Auctioneer, of West Maitland, sold me Twenty head of Cattle as per receipt, with brands, &c. When I went for those Cattle I could only find *nine*, and those with my own brand. This is to give notice, if the said James Ward does not produce the Cattle, I shall sue him criminally for a fictitious sale. Also, I gave the same person a promissory note to take up another, which Mr. Ward had the *modesty* to cash and leave me to the results.

A. W. LARYMORE.

Morpeth, October 27. 5966

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NOTICE.

MR. JOHN NICOL having, by advertisement in Tuesday morning's *Herald*, stated that there existed a partnership between himself and Mr. Tindall, my husband, under a deed now in existence, I hereby give notice to the public, that Mr. Nicol has no interest whatever in Mr. Tindall's stock, other than as superintendent; and that there is no deed or document in existence which constitutes Mr. Nicol a partner of Mr. Tindall, or a firm styled Tindall and Nicol.

The only document under which Mr. Nicol has any claim on Mr. Tindall's stock, is an agreement, of which the following is an abstract:—

"John Tindall agrees to sell John Nicol, one-third of certain sheep, cattle, &c., upon the following terms, viz:—Payment of £2000, the whole sum to be paid before said John Nicol shall be entitled to any property or interest in the stock. That until payment thereof, said John Nicol shall faithfully superintend the management of the said stock, on account of the said John Tindall, without any remuneration, except only one-third of the proceeds of the clip from the sheep. That until payment of the said £2,000, said John Nicol should pay interest at ten per cent. Provided that if the said John Nicol shall fail to pay the interest every year, or within thirty days after notice in writing from the said John Tindall, or his agent or solicitor, then it shall be lawful for the said John Tindall to declare the said agreement void."

Mr. Nicol has not paid one shilling of the principal or interest, and he has no authority, as superintendent, to dispose of stock, without the authority of my husband's attorneys.

MARY TINDALL.

Victoria Cottage, Bathurst, Oct. 19. 5650

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NOTICE.—The Officers of the 80th Regiment will not be answerable for any debts contracted by their messman.

Sydney, November 1. 6026

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£200.

WANTED TO BORROW, the above sum, for a period of 2, 5, or 7 years, for which 12½ per cent will be given. The property being of the most valuable description, and security undeniable. For particulars apply to Alderman Allen, Solicitor, Elizabeth-street

6039

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WANTED, a respectable young woman as under Nurse, she must have an unexceptionable character in that capacity, and work well at her needle. Address to Mrs. Ambrose Hallen, Prospect. 6048

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GOOD BUSINESS PREMISES.

TO BE LET, (in consequence of the office being removed immediately opposite, to more extensive premises) with immediate possession the premises lately occupied as the *Sydney Morning Herald* Office. There is a three-roomed house well adapted for offices in front, and a long two-storied store with a back entrance from Harrington-street For particulars apply to Messrs. Kemp and Fairfax. 4258

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TO BE LET, with immediate possession, lofty well-lighted Stores, sixty feet by sixteen, with counting-house and ware-room, forty-feet by sixteen, near the best part of George-street. Rent £50 per annum. Enquire at the *Herald* Office. 5889

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TO BE LET, for such term as may be agreed upon, the stores, wharf, and premises (commonly called Cox's Wharf,) lately in the occupation of John Rostron. Apply to Mr. Wentworth, at Campbell, Jun., and Co.'s, Bligh street, Sydney. 5447

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HOUSE IN ELIZABETH-STREET.

TO BE LET, on reasonable terms, the House late in the occupation of S. Broadhurst, Esq. Application to be made to Dr. Nathan, Elizabeth-street, or to Thacker, Mason, and Co. Fort street. 5871

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TO LET, two Houses, pleasantly situated in Liverpool street, near Lyons's Terrace,

One House and Shop in Bridge-street, next Mr. Gravely.

5445 COOPER AND HOLT.

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TO LET, a large and commodious House, situate in the central part of Pitt-street, next to Martyn's Carriage Bazaar, suitable for a private family, or genteel boarding house. For particulars enquire on the premises, or to Mr. W. Beaver, St. James's Church.

October 23. 5641

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TO LET,

THAT spacious Family Residence, with Outhouses, Stabling, &c., situated at the south-west corner of Pitt and Liverpool Streets, now in the occupation of Dr. Thompson. Further particulars may be obtained on application to Mr. Samuel Lyons, George-street and Charlotte-place. 5894

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BRISBANE DISTILLERY.

THIS Extensive and well known Distillery to Let. For particulars and terms, apply to Mr. ROBERT COOPER, Senior, South Head Road. 5993

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TO BE LET, with immediate possession, and for such term as may be agreed upon, the Dwelling House, and premises thereunto attached, known as the STAR INN, on the Parramatta Road, five miles from Sydney Toll Bar. The house contains ten rooms with detached kitchen, four-stall stable, coach-house, store, and good well of water Also, seventeen acres of Land, cleared, fenced, and ready for the plough; a small garden, and a good water-hole never dry. To a respectable tenant the rent will be moderate. For particulars apply to Mr. C. Baily, on the premises, or to Mrs. E. Roberts, the Crown Inn, corner of Elizabeth and Goulburn streets, Sydney. 5865

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SALES BY AUCTION.

DEAD WEIGHT FOR SHIPS.

MR. M. GANNON is instructed to sell by Auction, on the premises of Mr. Dawson, Iron Founder, Lower George-street, THIS DAY, the 2nd November, at eleven o'clock precisely,

Thirty-nine Hogwood and Cedar Logs.

Terms at sale. 6022

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TO BUILDERS AND OTHERS.

AT THE RISK OF THE FORMER PURCHASER.

MR. M. GANNON will sell by auction, THIS DAY, the 2nd November, at the Yard of Mr. James Ewen, Lower George-street, at the risk of the former purchaser, Sale to commence at eleven o'clock precisely.

Seven hundred and fourteen 1¼ inch Baltic Deals

ALSO,

A large quantity of red and white Deals, assorted sizes, in lots to suit purchasers.

Terms, Cash. 6023

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TO BUILDERS, CABINETMAKERS, AND OTHERS.

MANNING RIVER CEDAR,

WITHOUT RESERVE.

MR. M. GANNON has received instructions from the proprietor to sell by auction, without reserve, at the Albion Wharf, on FRIDAY, the 3rd November, at eleven o'clock precisely,

18,000 feet Manning River Cedar, in logs
24,000 feet ditto ditto in boards and scantling

Terms at sale. 6021

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IN THE INSOLVENT ESTATE OF ALEXANDER M'LEAN, BAKER, OF GEORGE-STREET.

MR. BLACKMAN is instructed by the trustees of the above named estate, to dispose of all the right, title, and interest of, in, and to, the under-mentioned properties without reserve, at his Rooms, George-street, on FRIDAY, the 3rd of November, at twelve o'clock,

Several allotments of land in the village of "Enfield, on the Liverpool-road, distant from Sydney about six miles.

A 100 acre Farm at Dapto, upon which is erected a comfortable cottage.

An unfinished stone-built House, situate in Kent street, Sydney, together with a stone-built Bake-house at the rear; also, the unexpired lease of the ground upon which these buildings are erected,

Four bales wool.

1000 Sheep, more or less, depasturing at Maneroo, and

The Book Debts of the said insolvent.

Terms at sale. 1938

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OFFICE AND HOUSEHOLD FURNITURE.

The Property of an Insolvent Estate.

MR. BLACKMAN will sell by auction, at his Rooms, George-street, on SATURDAY, the 4th instant, at Eleven o'clock precisely, by order of the Trustees,

*Household Furniture*, comprising, chairs, tables, sofas, couches, sideboards, carpets, ottoman seats, eight-day hall clock, table and other lamps, wardrobes, two pianofortes, plated and silver articles, chimney ornaments, pier glasses, toilet glasses, fenders and fire-irons, hearth rugs, pictures, garden seats, book shelves, about two hundred volumes of books, and a four-wheeled car

## SHIPPING INTELLIGENCE.

ARRIVALS.—None.

DEPARTURES.

For Port Phillip, yesterday, the barque *Lord Keane*, Captain Roberts, with sundries. Passengers—Mr. and Mrs. Evans, Mr. Drummond, Mrs. Foulcher and two daughters, Mr. Thomas, and Mr. and Mrs. Caffrey.

For Nelson, New Zealand, the same day, the cutter *Katherine Johnstone*, Captain Taylor, with sundries. Passenger—Mr. Price.

For Norfolk Island, the same day, the brig *Governor Phillip*, Captain Boyle, with Government Stores. Passengers—Mr. Purefoy, Mr. Fisher, Rev. Mr. M'Grath (Roman Catholic clergyman), and 11 rank and file of the 80th regiment.

COASTERS INWARDS.

October 31.—*Piscator*, 111, Innen, from Newcastle, with coals.

November 1.—*Maitland*, steamer, 103, Parsons, from Port Macquarie, with 12 bales wool, 600 bushels maize, 300 feet cedar, 4 bundles sheepskins; *Louisa*, 15, Pennington, from Brisbane Water, with 4000 feet timber, 20,000 shingles; *William*, 21, Blexham, from Newcastle, with coals; *Star*, 10, Pulman, from Wollongong, in ballast; *Brothers*, 29, Campbell, from Newcastle, with coals; *Rose*, steamer, 172, Pattison, from Morpeth, with 78 tierces beef, 30 trusses hay, 30 bales wool, 400 bushels maize, &c.; *Queen*, 13, Thompson, from the Manning, with 4000 feet cedar, and stores and rigging from the wreck of the *Mary Ann*; *Catherine*, 26, Picket, from Brisbane Water, with 15,000 feet timber, 1000 shingles; *Sophia Jane*, steamer, 156, Wiseman, from Wollongong, with 174 bags potatoes, &c.

COASTERS OUTWARDS.

October 31.—*Bee*, 12, Toole, for Kiama, with sundries; *Dove*, 13, Hart, for Brisbane Water, in ballast; *Transit*, 18, Whiteman, for Lake Macquarie, in ballast; *Lady of the Lake*, 20, M'Guigan, for the Hawkesbury, in ballast; *Fly*, 10, Shaw, for the Hawkesbury, with sundries; *Emma*, 22, Johnson, for Wollongong, with sundries.

November 1.—*Star*, 10, Pulman, for the Hunter, in ballast; *Eclipse*, 21, Brook, for the Paterson, with sundries; *Maitland*, steamer, 103, Parsons, for Port Macquarie, with sundries; *Rose*, steamer, 172, Pattison, for Morpeth, with sundries; *Catherine*, 26, Pickett, for Brisbane Water, with sundries; *Sophia Jane*, steamer, 156, Wiseman, for Wollongong and Jervis Bay, with sundries; *Louisa*, 15, Pennington, for Brisbane Water, with sundries.

EXPORTS.

November 1.—*Union*, brig, Grainger, master, for Launceston: 569 bags sugar, 517 bars iron, 83 coils rope, 1 bale canvas, 1 bale twine, 1 case hats, 20 kegs paint, 6 chests 12 half-chests tea, 1 case a pianoforte, 2 boxes pickles, 1 gig, 8 hogsheads loaf sugar, 6 bales paper, 5 barrels crushed sugar, 7 tierces molasses, 208 boxes soap, 82 hams, 6 cases linens, 1 case 1 bale cottons, 11 bundles empty bags.

November 1.—*Louisa*, brig, Tucker, for Hobart Town—additional clearance: 1 iron safe, 7 bales rope, 1 case pens, 1 case stationery, 1 gig, 1 case drills, 1 case silver, 1 case hardware, 1 cask rope, 1 trunk hardware, 10 hogsheads 10 quarter-casks wine, 26 boxes soap, 20 tierces beef, 3 packages drugs, 60 casks pork, 11 casks beef, 2 casks glass, 60 bushels maize.

CLEARANCE.—For the South Sea Islands, the brig *Portenia*, Captain Richards, with sundries. Passengers—Mr. W. J. Carter, and two aborigines.

DIARY.

MEMORANDA FOR THIS DAY.

| November. | | SUN, rises \| sets. | HIGH WATER morn \| even. |
|---|---|---|---|
| 2 | THURSDAY | 5 19 \| 6 41 | 4 30 \| 4 51 |

Full Moon, Nov. 7, 26 m. past 3, afternoon.

NOTICE.

THE Accounts of this Office to end of the quarter, September 30, both in the City and the Country Districts, being delivered, it is respectfully requested that they be forthwith paid; as a cash system is intended to be strictly adhered to, all present demands will be sued for unless punctually discharged.


# The Sydney Morning Herald.

THURSDAY, NOVEMBER 2, 1843.

*"Sworn to no master, of no sect am I."*


## LEGISLATIVE COUNCIL.

WEDNESDAY, 1st NOVEMBER.

THE SPEAKER took the chair shortly after half-past three.

UNEMPLOYED LABOUR.

Dr. LANG presented a petition signed by four thousand three hundred and ninety-six persons. The object of the petition was again to draw the attention of the House to the fact that there was a very large number of mechanics and artizans out of employ in Sydney, and many of them reduced to extreme distress from want of employment. Amongst the signatures were those of many highly respectable inhabitants of the city, including the Mayor, and several of the City Council, who thus bore testimony to the facts alleged by the petitioners. The petitioners expressed their regret that no result should have followed the first petition to the House, notwithstanding the lamentable amount of distress which evidently did exist, and implored the serious attention of the Council to the circumstances in which the unemployed mechanics and labourers were placed. They called attention to the fact, that the sum voted by the Council to pay for the labour of those hired by the Government, at reduced rates of wages, namely, £2,500, was altogether insufficient to meet the wants of that class: and further, they expressed their astonishment, that any one seeing what was going on in this city, should be sceptical as to the amount of distress which did prevail. He, Dr. Lang, would himself say, that painful and indubitable evidence had been brought before him that a large amount of distress did prevail, and he much regretted that that distinction which he had been accustomed to draw between these classes here and similar classes at home, namely, that here they could never want for bread, now existed no longer; and that there existed not a few families in this city who were reduced to the barest possible subsistence, persons of a class too who would scarcely be supposed to be affected in this way, as from their self-respect and diffidence they would not appeal to the charity of those around them, until they found themselves and their children reduced almost to starvation. The petitioners called the attention of the Council to the fact that large numbers of mechanics and labourers were re-emigrating to Valparaiso, a fact which would act most injuriously on the interests of the colony at home by preventing that future emigration to this colony which was thought so desirable, and which proclaimed with a voice which could not be misunderstood the existence of great and wide-spread distress. The petitioners again called the attention of the House to the large number of prisoners still remaining in the district of Sydney, either in assigned service or employed as servants and labourers, which rendered the situation of the petitioners still more helpless and distressing, and they prayed that the House would take steps to procure the removal of such prisoners altogether from this part of the territory. The petitioners also alleged that a large portion of those who were now suffering so severely from want of employment were mechanics who had been induced to emigrate to this colony by promises of constant employment at remunerating wages, promises made by parties whom they at all events believed to be the accredited agents of the Government. He, Dr. Lang, did not wish to enter into the question as to whether this Council ought to be called upon in any way for sufferings caused by the misrepresentation of parties in the employment of the bounty speculators, but looking at the large number of signatures, and to the fact that many of them were highly respectable, the signatures of parties witnessing to the truth of the statements made by the distressed mechanics themselves, and sympathising in their sufferings, he thought that the petition was well entitled to the careful consideration of the House. He would now move that the petition be read.

The ATTORNEY-GENERAL seconded the motion.

The Petition was read.

Dr. LANG moved that the petition be received, which motion was also seconded by the ATTORNEY-GENERAL, and carried.

Dr. LANG gave notice that on Friday next he should move that the Petition be taken into the consideration of the Council.

LOWER PORTLAND HEAD AND MACDONALD RIVER.

Mr. BOWMAN presented a petition from forty-five settlers and farmers on that portion of the Hawkesbury River known as Lower Portland Head and the Macdonald River, complaining of the distance at which their police magistrate resided from them, and the inconvenience to which they were in consequence subjected. The magistrate resided at Wollombi, distant between thirty and forty miles from the petitioners, and although before the duties of Commissioner of Court of Requests were added to those of the magistrate, he used to hold a court in the petitioners neighbourhood once a month, since that alteration was made he had held a court once in three months only, so that the petitioners had to go without any redress whatever when they required it, or else were compelled to travel thirty-five or forty miles to the Police Magistrate, or to go into Windsor. Further, the Petitioners complained that there was only one Police Magistrate in the district, while cases frequently arose, especially under the Master and Servants' Act, in which two magistrates were required. The petitioners prayed that some arrangement might be made by which they might be afforded the services of a magistrate in their own neighbourhood, or else that they might be added to the district of Windsor.

Mr. BOWMAN concluded by moving that the Petition be read, suggesting, however, that some steps might possibly be taken by the Executive Government which would remedy the evils complained of.

The petition was read, and on the question being put, that it be received,

The COLONIAL SECRETARY said, that so far as he could gather from the statement of the honorable member, this was a complaint from the inhabitants of that portion of the Hawkesbury known as Lower Portland Head and the Macdonald River, in consequence of inconvenience suffered by them from the Police Magistrate holding a Court only once a month. This complaint caused him (the Colonial Secretary) a very considerable degree of surprise, as positive instructions had been given to that magistrate to hold a court at least once a fortnight, and he certainly was surprised to hear that that gentleman should have so neglected the duty which he was instructed to perform. Without any disrespect to the Council or to the honorable member who had presented this petition, he would say that he thought this was a matter for the Executive Government rather than for this Council, and if such a complaint had been forwarded to the Government, immediate enquiry would have been made, and the necessary remedy applied. Notwithstanding the irregularity however, he should not oppose the reception of the petition, and he would cause such enquiries to be made as would enable the Government to take the necessary steps to remove the evil complained of.

The petition was ordered to be received.

PETITION FOR COMPENSATION.

Dr. LANG presented a petition from Mr. S. L. Barris, formerly Colonial Architect in this colony, setting forth, that for several years he occupied that situation in this colony under an agreement with the late Secretary, Major Goulburn, that he was to receive five per cent. on the amount expended on public buildings. This arrangement was carried on for some years, until Sir Thomas Brisbane deeming it too heavy a weight on the expenditure, put an end to it. Mr. Harris received a valuable portion of land on the Hunter, but from the Government not acting up to the faith which he considered pledged to him, he was compelled to sell that land at a very great sacrifice. He brought the matter before the late Legislative Council on many occasions, and at length was allowed to institute an action against the Government, and the Court made an award in his favour, but such had been their delays that the law expenses swallowed up a great portion of the award also, and Mr. Harris considered himself entitled also to interest from 1825, which however the Court did not allow him. He had petitioned the late Legislative Council for the amount of this interest, and having done so without effect, he repeated his petition to this House. He (Dr. Lang) was not however prepared to support this claim, especially in these times, when many were obliged to take much less than the principal without any interest at all. At the same time, he had made no objection to present the petition, because he thought it only becoming in this House to allow an old officer, reduced by age and infirmity, and in needy circumstances, who imagined that he had a claim upon the Government, to lay the merits of his case before them. He would move that the petition be read.

The petition was read, and on motion being made for its reception,

The COLONIAL SECRETARY said, that before the question was put he wished to say a word or two with respect to this case, so far as his recollection of it would serve him. This petitioner had applied to the Government, in the time of Sir Richard Bourke, for compensation, under the circumstances previously stated. An award was made in his favour; he was not satisfied, and appealed to the Home Government; the Home Government allowed him to bring an action against the Colonial Treasurer as the principal officer of the department, in order that a court of justice might determine what was the amount of the claim which the petitioner really had upon the Government. The action was brought, and the court made an award in favour of the petitioner, and the sum awarded was immediately paid to him. This sum he deemed insufficient, and appealed to the late Legislative Council, as he now appealed to this House. He (the Colonial Secretary) had felt it his duty to oppose then, as he should now, any proposal for further compensation, as it would be impossible for this House to award any additional sum without constituting itself a court of review, and overturning an award of a court of justice made in due course of law. The circumstances which would warrant such a proceeding must be extraordinary indeed, and there were no such circumstances in this case; on the contrary, every facility had been afforded to the petitioner to obtain that justice which he sought.

Mr. WENTWORTH said, he was sorry that the due course of law which had been alluded to did not allow parties having a claim against the crown to proceed as in other cases of party against party. He was sorry that any one here having such a claim should be obliged to await the decision of the Home Government before he could bring his action. This, he thought, was one of the opprobriums of the present state of the law, and he did hope that the attention of the law officers of the crown would be directed to the subject so as, if possible, to alter that law. He did not wish to allude to this particular case; his observations were general, and seeing that this case had been submitted to a Court, and had been decided by that Court, he had no doubt but that full enquiry was made into the merits, and justice was done to the petitioner, and therefore that no revision of that award was necessary. As to the general state of the law, it could not be denied that it was defective, and he could attest, from his experience in practice in the Courts of this colony, that in a hundred cases which had been brought under his notice, and which he thought were decidedly good cases, the parties were altogether without remedy against the Crown. Indeed, as a general proposition, it was undeniable that those even who had the best cases against the Crown, were without a remedy unless the Crown itself chose to allow the matter to be brought into court, and the sooner such a law was amended the better.

Mr. FOSTER said, he fully concurred in what had fallen from the honorable member for Sydney; and, further, he had no doubt that very considerable convenience would accrue to the Government if the alterations suggested were made.

The ATTORNEY-GENERAL said, that the law honorable members complained of was the law of England, and that no power here could alter that law. If honorable members desired to have that law amended, the only course for them to pursue was to petition the House of Commons. With respect to the case of the petitioner, he could state that every facility had been afforded him to have his case fully investigated. The case was tried by a special jury, and was fully left to them to decide as to the amount to which he was entitled, and as to whether he should be allowed the interest he claimed. The amount of compensation which the petitioner claimed was £3600, and the jury awarded the petitioner the sum of £1420, as the full extent of any claim he had upon the Government. And if the petitioner had involved himself in law costs, so as to eat up that verdict, the Council could not interfere.

Mr. WINDEYER observed, that if the law was not in its present state, the petitioner, having been successful, would not have had to pay his own costs: they would have fallen on the Crown.

The SPEAKER interrupted this conversation as irregular, and put the question that the petition be received, which was carried.

ROMAN CATHOLIC CHURCH, CAMPBELLTOWN.

Mr. THERRY presented a petition from the Trustees of St. John's Roman Catholic Church, Campbelltown, intimating his intention, that after having moved that it be read and received, he should also move that it be printed, with the view of bringing it under the consideration of the House on a future day. The petitioners set forth that up to the year 1834 they had received assistance at various periods from the Legislative Council, but after that time they had completed the building themselves, at an expense of £800, and they now claimed the moiety, £400, under the Church Act. The petitioners had applied to the late Legislative Council, but without effect; but they hoped, if the House would appoint a Committee, to be able to make out such a case as would induce the committee to recommend favourably, and if so, they hoped that the Council would recommend the grant to his Excellency the Governor. There was one peculiarity in the Church Act which had given rise to some doubt as to whether this church came within its provisions; the Church Act referred particularly to churches which were built under that Act: but as this church was commenced before the Church Act was passed, it was contended by some that the petitioners had no claim. He would not detain the Council longer, as he should have another opportunity of entering at length into the subject, but would now move that the petition be read.

The petition was read.

Mr. THERRY moved, that the petition be received.

Mr. WINDEYER opposed the reception of the petition. The prayer of the petition was for the granting of a specific sum of money; and such a petition ought not to have been presented until the consent of the Government had first been obtained, in accordance with the rule laid down by the Colonial Secretary on a former occasion.

The ATTORNEY-GENERAL said, he perfectly agreed in the necessity of adhering to the rule alluded to, although honorable members had not thought fit to do so the other night when discussing a portion of the estimates.

Mr. WENTWORTH said, the case was different; the Governor had proposed a certain sum for a specific purpose, and the Council, in the case of the Sub-Treasurer, thought fit to increase it. This was entirely different from the present case, where the Governor had not proposed any sum, and it was doubtful whether he would consent to it even though the Council should do as they were requested, and recommend it.

The ATTORNEY-GENERAL said, whatever might have been the previous case he was of opinion that the rule ought to be adhered to, and that therefore this petition could not be entertained.

The COLONIAL SECRETARY concurred with what had fallen from the Attorney-General, and from the honorable and learned member for Durham. If this petition were received in its present form, and acquiesced in, the Council would in fact be infringing the Act of Parliament. He did not wish to say anything to damage the prayer of the petition, nor would he offer any observation as to the claim set up, but would merely state that he was aware that there was a great number of churches that would be likely to prefer similar claims.

Mr. THERRY said, that if in strictness of law the petition could not be received in its present shape he would withdraw it; giving notice however, that he would again bring the subject before the Council in a less objectionable shape.

REPORTS OF COMMITTEE.

Mr. ELWIN brought up the Report of the Select Committee appointed to enquire into and report upon the Savings' Bank Act Amendment Bill.

The report was ordered to be printed.

Mr. ELWIN gave notice, that on Friday next he should move that the Report, together with the Bill, be referred to a Committee of the whole House.

Mr. ELWIN also brought up the Report of the Select Committee appointed to enquire into and Report upon the Registry Bill.

The Report was ordered to be printed.

Mr. ELWIN gave notice, that on Friday next he should move that the Report be referred, together with the Bill, to a Committee of the whole House.

NORFOLK ISLANDERS.

The COLONIAL SECRETARY laid upon the table an answer to an address agreed to on the motion of Dr. Nicholson, for returns relative to prisoners who had returned to this colony from Norfolk Island, distinguishing the classes, whether expirees or under commuted sentence, &c. The returns contained the whole information required by the address, with the exception of expiree prisoners from Van Diemen's Land, whose numbers in Port Phillip or in this portion of the colony, the Government had no means of ascertaining.

COLONIAL TOBACCO.

The COLONIAL SECRETARY said, he was also able to lay upon the table a return to the address moved by the honorable member for Durham, on the subject of the duty levied on tobacco, the growth of this colony, in Van Diemen's Land. He regretted to state that the Government of Van Diemen's Land, had not complied with the wishes of the Council or the recommendation of His Excellency the Governor. On a previous occasion he had informed the House that he had written to the Government of Van Diemen's Land on the subject, and since then he had received an answer to his communication, which he would read. The letter was as follows:—

"Van Diemen's Land,
"Colonial Secretary's Office,
"12th October, 1843.

"SIR,—I have received and submitted to the Lieutenant Governor your letter of the 13th ultimo, transmitting a copy of an address to His Excellency Sir George Gipps, from the Legislative Council of New South Wales, requesting that such steps may be taken as may be best calculated to obtain a reduction of the duty levied in this colony on tobacco, the produce of New South Wales.

"His Excellency Sir Eardly Wilmot, desires me to acquaint you for the information of Sir George Gipps, that upon a reference to the Customs' Department, it appears that a small reduction of duty upon the article in question would not contribute to bring it into consumption in this colony, and thus would not affect the object contemplated by the Legislative Council. At the same time, however, Sir Eardly Wilmot desires me to assure you of his anxiety to preserve the friendly relations subsisting between the two colonies; and that if it were practicable with a due regard to the discipline of the convicts, and the revenue, he would be most happy to meet the wishes of the Legislative Council in this matter.

"I have the honour to be, Sir,
"Your most obedient servant,
"(Signed) J. E. BICHINO."

He would merely observe that previous to the year 1840 no duty was charged on tobacco grown and manufactured in this colony imported into Van Diemen's Land, or indeed upon anything except spirits. Since then a duty of 1s. 6d. per lb. had been charged.

Mr. WINDEYER inquired whether there was not a duty on foreign tobacco before 1840?

The COLONIAL SECRETARY replied, that there was a duty of 1s. 6d. per lb. He thought it might perhaps be as well that this letter should be printed, and would therefore move that it be printed.

Mr. WINDEYER seconded the motion, and the letter was ordered to be printed.

The COLONIAL SECRETARY obtained leave to postpone the motion of which he had given notice, as to the department of accounts, until the House should resolve itself into committee, in accordance with the rule that all matters relative to finance should be considered in committee of the whole House.

Mr. COWPER obtained leave to postpone his notice of motion relative to the Jervis Bay Road until Friday next.

OVERLAND ROUTE TO PORT ESSINGTON.

Dr. NICHOLSON rose to propose the resolution which stood on the paper in his name which he read in those words: "That an address be presented to His Excellency the Governor, praying that His Excellency will be pleased to direct the necessary steps to be taken, to carry into effect the recommendation of the Select Committee of this Council, appointed to consider 'the practicability of establishing an overland communication, from the settled parts of New South Wales, to Port Essington;' and further praying, that His Excellency will be pleased to direct such a sum to be inserted in the Estimates of Expenditure for the year 1844, as may be deemed necessary to meet the expenses consequent upon carrying into effect the abovementioned recommendation." Dr. Nicholson said, that having on a previous day addressed himself at some length to the question involved in the resolution, he should not now have to detain the House, except to draw their attention to those particulars which had come out in evidence before the Select Committee appointed by the House, to which he had not before had an opportunity of attending. The Committee were unanimous in their opinion as to the practicability and expediency of the proposed undertaking, so far as could be judged from the evidence which they had been enabled to procure, although from the ignorance under which they at present laboured, as to the exact nature of the country over which the proposed expedition would have to pass, any reasoning on the subject must be hypothetical. Still the Committee thought that sufficient had been brought before them to justify them in their opinion, as to the practicability of the undertaking, and in recommending it to the favourable consideration of the Council. [The hon. member then went at some length through the report and the evidence attached thereto, both of which have appeared in the *Herald*.] The evidence he contended discovered facts novel to himself as they probably were to others; namely, that there was a race of men who had arrived to a high degree of civilization and social advancement, living so close to this colony, or at all events to that part to which the proposed expedition was to be directed. The Committee had had one of the natives of the islands before them, a servant of Mr. Earl, Shadrach Philippus, and the intelligence which he exhibited was greater even than would be supposed, from the answers to the few questions which had been put to him. The advantages which he had no doubt would result to this colony from the establishment of an overland route, were remote and contingent, but he did hope that if the object were to extend geographical discovery alone, to learn something of the vast country which was yet unknown to us, it would not be insufficient to induce the Council to encourage the undertaking, and to recommend to the Governor to place a sum of money in the Estimates, in order that that undertaking might be effected. There was, perhaps, no stronger evidence of social advancement than the formation of expeditions such as this proposed, for the extension of geographical discovery, and while expeditions were equipped to examine the interior of Africa and of America he thought it would ill become this Council to rest any longer where the colonists had rested so many years without any attempt to extend our knowledge of that immense country, on the threshhold of which the colonists were. Such an undertaking would raise the Council in the estimation not only of every colonist, but in the estimation of the whole civilised world, and would benefit the colony by exciting attention to it in the mother country, while at the same time it would eventually be opening a market for our produce for which we should get valuable commodities in exchange. He hoped that the Council would, without hesitation, recommend the small outlay which would be required, and he would now move the resolution with which he had set out, in the form of an address to His Excellency the Governor.

Mr. ELWIN inquired whether any estimate of the probable outlay required had been made?

Dr. NICHOLSON said that an estimate had been made, but the Committee had thought it better to leave it to the Council to fix the amount. It would be seen too in this report, that allusion was made to the implements, the cattle and horses already in the possession of the Survey Department, which might be appropriated for the expedition, and in consequence of which the actual outlay required would be but small.

Dr. LANG seconded the motion for the address, and he did so principally because the proposed expedition promised to advance in a very great degree the progress of geographical discovery. He confessed that he could not entirely concur in the sanguine expectations of his honorable friend and colleague as to the advantages which would result from overland communication with Port Essington, or rather with the head of the Gulf of Carpentaria. But it was desirable that such an expedition should have a specific object in view on setting out, and the discovery of such a route might hereafter be attended with very considerable advantages to the colony, and independently of those which must result to science. For himself he believed that for many years at all events the road to Port Essington would be that broad road which had been made by the Creator of the universe, namely, the ocean. He had on Monday last consulted with an eminent philosopher Mr. Dunlop, of Parramatta, on this subject; and Mr. Dunlop's opinion, formed from what was known of the country so far as Fort Bourke, which was only between two hundred and three hundred feet above the level of the sea, and from the fact ascertained by Captain Stokes that the head of the Gulf of Carpentaria was at some seasons of the year entirely fresh water, that the country between Fort Bourke and the Gulf, was a valley, covered to a very considerable extent, for certain portions of the year with water; and if this should be proved to be the case the practicability of an overland route could not be maintained. With respect to the point from which the expedition should start, he thought that as Sir Thomas Mitchell, who had before proved himself so eminently qualified to conduct such expeditions, proposed that the starting point should be Fort Bourke, he, Dr. Lang, did not think it would be desirable to offer any opposition to the proposed route. And although, as he had before said, he was not so sanguine as to the commercial advantages as his honorable colleague, he could not but believe that most important results must follow. The facts that had been disclosed in the evidence before the Committee were most interesting. It was shown that in some of the islands, adjoining that portion of this continent to which the expedition was to be directed, there were some of the most interesting of the race of men—islanders who, eighty years ago, had been evangelised by Dutch missionaries, and who, although cut off from all connexion with every other part of the Christian world for eighty years, had preserved that religion amongst them. The attention of the Committee was drawn to the singular name, Shadrach Philippus, of one of the witnesses, a native of the island of Kissa, and they learnt from him, on enquiry, that two of his near relatives bore the names Meshec and Abednego; so that from their names these islanders might be looked upon not as Christians only, but almost as Puritans. He hoped that the Council would look favourably on the proposition, more especially as from the diminished duties of the Survey Department, and the *materiel* already in the possession of that Department, the actual outlay, as had before been said, would be but small.

Mr. BOWMAN supported the resolution. He thought it manifest that great advantages must arise from such an expedition, and especially as the services of the present Surveyor-General, Sir Thomas Mitchell, had been proffered to conduct it.

The COLONIAL SECRETARY said, that he could not give a silent vote on this subject, as it was one well worthy the attention of every thinking man; and great benefits had already resulted to the colony from similar expeditions conducted by Captain Sturt and Sir Thomas Mitchell. The effect of those expeditions was the discovery of extensive fertile tracts of land; they fixed the attention of England upon the colony as a most advantageous place in which to provide for her surplus population, and the discovery of Australia Felix was followed by an introduction of capital and other means of advancement, by which that district had progressed with a rapidity unknown in the history of any country. With respect to the expedition now proposed, it had been under the consideration of the Government since 1840, in which year His Excellency Sir George Gipps, in an able despatch, describing the progress of geographical discovery in this colony, which despatch was printed, and extensively circulated by order of the House of Commons, expressed his regret that he had no one to whom he could entrust the conduct of such an expedition as now proposed—Sir Thomas Mitchell being at that time in England engaged in his great work under the superintendence of the Duke of Wellington. This despatch called forth an offer from Mr. Eyre, well known as an explorer in South Australia, who offered to conduct the expedition. The Governor did not immediately accede, as it was thought that Captain Sturt had a prior claim, in consequence of the services he had already rendered, if he chose to prefer it. Captain Sturt declined, and Mr. Eyre was written to and requested to hand in an estimate of the expenditure necessary. The plan proposed by Mr. Eyre was of a different nature to that proposed by the Report of the Committee; he proposed to make the journey from Moreton Bay along the coast, making, however, frequent incursions inland in order to discover the nature of the country, and the expedition was to be followed by a small vessel with supplies: Mr. Eyre proposed to skirt the coast from Moreton Bay to Halifax Bay, and, after receiving supplies at Halifax Bay, to cross the Peninsula to the head of the Gulf of Carpentaria, and then again across the Cobourg Peninsula to Port Essington. But the expenditure which it was estimated would be necessary was £4000 or £5000; and in the then state of the revenue, the Government did not think itself justified in incurring such an expenditure, and consequently the proposition was abandoned for the time. He (the Colonial Secretary) and the Government regretted that it should have been so, and he thought it necessary to mention this understanding, which had at one time existed with Mr. Eyre, in order that the Council might judge how far it was binding now. He thought too that the Committee had underrated the cost of the expedition. The outlay required for the expeditions of 1835 and 1836, was about £3000. True, that the most expensive part of the equipment was returned to headquarters, and many of the horses and bullocks employed in it were afterwards employed for years in the road department. Still it was impossible that such an expedition could be undertaken without very considerable outly. He would merely add that he was himself somewhat in favour of the plan proposed by Mr. Eyre, rather than traversing the country; for years past however, he had felt that it was the duty of the Government to encourage such expeditions, and it was wholly the state of the Revenue which had prevented this expedition being sent out before. He saw that it was proposed, that the expenses of this expenditure should be paid out of the ordinary revenue. He would merely observe, that formerly such expenses were paid out of the military chest; but some years ago the Home Government thought they might be more appropriately charged on the land revenue, and they accordingly had been ever since.

Mr. COWPER supported the proposition, bearing testimony to the high capabilities of Sir Thomas Mitchell, and hoping that the Council would be unanimous in its recommendation of the proposed expedition.

After some further conversation, Dr. NICHOLSON amended his resolution, by inserting in the Address the words "a sum not exceeding £1000;" and the Address was then carried nem. con.

WINDSOR POLICE DISTRICT.

Mr. BOWMAN rose, in pursuance of the notice which he had previously given, to move the consideration of the petition from the inhabitants of the Police District of Windsor, praying for the rescinding of the vote, which had been come to in a Committee of the whole Council, abolishing the office of Police Magistrate, in that district. In doing so, he said, that Windsor was one of the largest and most populous police districts of the colony, containing about seven thousand inhabitants. And this large amount of population, as well as the great extent of country which the district embraced, rendered the necessity for the services of a resident Police Magistrate equal, if not even greater, than that of any other district throughout the colony. The petition to which he referred contained about four hundred signatures, and might even have been more numerously signed, but for the haste with which it had been got up, but in bringing the subject before the notice of the House, he felt bound at the same time to state, that there was a difference of opinion in the district relative to this subject, some gentlemen being of opinion that the office of Police Magistrate might be dispensed with, and the duties of that office discharged by the unpaid magistrates of the district. (Hear, hear.) With these gentlemen, however, he could not agree: for unless the commission of the peace was greatly extended, there were not certainly a sufficient number of magistrates in the district for the due performance of the Bench duties with any degree of regularity, as only one of these gentlemen resided in the town of Windsor, and a great portion of his time was occupied in the management of his own private affairs at distant parts of the colony, while other gentlemen in the commission of the peace, resided at too great a distance from the town to be expected to give anything like a regular attendance at the Police Office. (Hear, hear.) He must admit, however, that there were many persons resident in and about the Town of Windsor, who, although not invested with the Magisterial Office, were, in his opinion, both competent and willing to discharge its duties if they were called upon to do so. (Loud cries of hear, hear.) In the present position of the district, he could only anticipate the greatest inconvenience from the absence of a police magistrate, for the business attendant upon that office was of so extensive a nature, as to require almost a daily sitting, and as it was found difficult even at the present time to procure the attendance of a second magistrate on occasions when such attendance was required, it must be obvious that the greatest inconvenience would arise, if from the total discontinuance of the office of Police Magistrate, no person should remain on the spot, whose imperative duty it would be to attend with regularity to the despatch of business. Local interests had also sprung up under the anticipation that the Gaol and Quarter Sessions, which had hitherto been held in this district, would be continued. Houses of entertainment had been erected, or were in the course of erection; and other interests existed of a similar nature, which the abolition of the office of Police Magistrate would greatly injure. In justice, also, to the gentleman who had hitherto held that office, with so much credit to himself and advantage to the district, and who would be thrown out of office upon so slight a notice by the operation of the resolution come to by the House on this subject, it was, he thought, but just that this resolution should be re-considered: more especially as it had been hastily determined upon, without any inquiry as to the propriety of such a reduction as it had the effect of creating. With these remarks he would beg leave to move, that the petition from the district of Windsor, praying the re-consideration, by the Committee of the whole Council, of the resolution of a similar Committee of the whole Council, to abolish the office of Police Magistrate at Windsor, may be taken into consideration when the Police Estimates shall again come under the consideration of such Committee.

Mr. FOSTER seconded the motion.

Mr. WINDEYER said, that it was with great regret that he saw a motion of this description brought forward, and with still greater regret that he found it to be sanctioned by the Government; for when the time of the Council had been occupied for two months in considering the best means of effecting a reduction in the Police Expenditure, it was scarcely fair that advantage should be taken of the absence of some of the members, on their own private affairs, to bring forward a series of resolutions, tending altogether to set aside the determination previously arrived at; for he could only look upon this proposition as the first of a series of a similar nature and extent.

The COLONIAL SECRETARY remarked that the honorable and learned member was arguing upon a supposition that he, the Colonial Secretary, had expressed his concurrence with the proposition, which he had not yet done.

Mr. WINDEYER expressed a hope that he was mistaken upon this point, but he had understood that it was intended on the part of the Government to restore by a side wind the £100 a year of the Coroner for Sydney, which had been struck off by a vote of that House, with an additional increase in the shape of fees, thus making an increase of expenditure when the Council had contemplated effecting a decrease, and he had thought therefore that the present motion had also met with the sanction of the Government. If the continuation of a police magistrate in the district was deemed of such vital importance, the remedy was comparatively easy, for among so large a population as 7000 persons, the salary of such an officer could be raised by taxation with the greatest ease, and it would be much fairer to adopt this course than to come to that Council for the payment of such a magistrate from the general revenue of the colony. Four hundred signatures, which was the number stated to be appended to the petition under consideration, was rather a small number out of seven thousand, especially if the restoration of the Police Magistrate was so generally called for as it was said to be, and he had been informed that a great number, even of this four hundred, were persons who did not reside in the district at all, or were constables, spirit dealers, and other persons, of classes naturally influenced by magisterial authority in matters of this nature. He had even been informed that there were the names of a great number of ticket-of-leave men appended to the petition, and he would challenge the honorable member for the Cumberland boroughs to say, whether this was or was not the fact.

Mr. BOWMAN admitted that many of the persons were constables, but the probability was that they were also rate payers, and he doubted not that there were the names of ticket-of-leave men also, but these men were for the most part also rate-payers.

The ATTORNEY-GENERAL enquired why there should not be names of ticket-of-leave men to the petition?

Mr. WINDEYER said, that he was far from wishing to make any objection to the power of this class of persons to sign a petition; but it certainly appeared somewhat absurd to contend that such persons should be so particularly anxious to have a Police-magistrate set over them. It would be seen, also, on reference to the petition, that a great many of the names were in the same handwriting; and, taking these circumstances into consideration, doubts might be entertained as to whether a large portion of the signatures were genuine: and it must seem somewhat strange that the Warden of the district, who must evidently be the greatest sufferer by the abolition of the office of Police Magistrate, from his responsible position as the guardian of the public welfare of the district, had not seen fit to join in the prayer for the restoration. The great evil of the course proposed was that it would furnish a precedent for laying open the whole question upon the Estimates, by which honorable members on either side who were dissatisfied with a former vote might have the matter discussed over again. He was quite sure that the granting of such an application was unprecedented, and he should therefore feel bound to oppose it.

Dr. LANG was of opinion that the honorable mover had done more damage to the cause of the petition by his own admissions than had been effected by the arguments of the honorable and learned member for Durham. He had admitted that the petition in question was not an expression of opinion on the part of all the inhabitants of the district: and they had a sufficient proof of this fact, by the circumstance of a counter-petition having been laid before the House by the honorable and learned member for Durham, being a petition from four of the members of the District Council, expressing their approbation of the course pursued by the House. He (Dr. Lang) was himself acquainted with the district of Windsor, and he was certain that a sufficient material existed there for the formation of an efficient unpaid magistracy by whom the police business of the district might be managed as effectively as ever, and the fact was also acknowledged by the honorable mover himself. The third admission of that gentleman went far to damage the case which he had made out, being the arguments based upon vested interests arising out of the establishment of a Gaol and Quarter Sessions, but this, it would be generally admitted, formed rather an argument for confirming the removal of all these relics of the convict establishments. The various nations of the earth possessed different ways of marking the advancement of civilisation. The Spaniards, who were of a pious nature, generally built a church. The French, who are more volatile, distinguished their progress towards refinement in all new countries by the erection of a theatre; and the English by the construction of public-houses, but the general mark of the progress of civilisation in the Australian colonies was indicated by the establishment of gaols. It was well however to get rid as speedily and extensively as possible of all these last mentioned characteristics, and no minor consideration of a trifling interference with the interests of one or two private individuals should operate as a preventative to the carrying into execution of such a desirable measure of reformation. The leading principle of the wisest regulated Governments was to keep out of sight as much as possible the means by which order was maintained among the community, and he remembered when walking with a brother clergyman along the streets of Philadelphia, the most orderly and peaceable city in the whole Union, that his reverend companion had pointed out to him the fact of their not perceiving a single policeman. Another reason which would induce him, apart from all he had before stated, to vote for the abolition of Police Magistrates was, that these officers were a kind of petty sovereigns in their several districts, so far as he had yet an opportunity of observing, without any of the good qualities which a petty sovereign might be expected to possess. It had been likewise suggested, that the abolition of this office, in the present instance, would operate with exceeding harshness upon the gentleman by whom it had been held, and who would thus be dismissed at so short a notice; but the present case was no more one of hardship than that of any other gentleman who had been thrown out of office by the resolutions of the evening alluded to. He could not admit, however, that the argument was a tangible one for reinstating that gentleman, although he must sincerely sympathise with him upon the inconvenience to which he was thus subjected.

Mr. THERRY rose to support the motion, and remarked that having himself presented a petition of a similar nature from another part of the same district, he imagined that the discussion upon one motion would decide the question upon both, and should not, therefore, propose any subsequent motion upon the matter. The Police District of Windsor was the most extensive in the colony, with the exception only of that of Sydney; comprising portions of several distinct counties, and comprehending altogether a wide extent of country as well as a numerous and important class of inhabitants. It was, therefore, the district in which, above all others, the constant attendance of a resident Magistrate was required. It had been said that there was no precedent for a measure of this sort—rescinding a resolution which had been arrived at on a previous occasion—but he would shew the House that there was such a precedent, and would read to them the remarks of the present Prime Minister of England, upon the occasion of a motion which had been brought forward to rescind a previous resolution, affecting one of the Judges of the land: a measure of much higher importance than the one at present under consideration. Speaking upon this subject, that exalted individual says:

"I consider that this motion implies a great compliment to this House. It implies a confidence in their integrity and moral courage, thus to give them the opportunity of revising what they once determined: and if they feel that determination to be wrong, to reverse it. Numerous appeals have been made to the House to night; appeals to false pride; appeals to the

...e preservation of public order and exter-
...l decencies of life, I cannot regard without
...ency the withdrawal of that restraint by
...which many of the lower classes in the colony
...e kept within the bounds of external de-
...cies. Drunkenness and the profanation
...of the Lord's-day have, to my knowledge,
...been kept in check by your magisterial autho-
...city, and that being withdrawn, or its place
...supplied by a less vigilant influence, these
...evils will, I fear, become more flagrant
...among us."

Mr. WENTWORTH said, that not having been engaged in the former discussion upon this subject, he approached it with the consciousness of not being committed to any particular course of action. The honorable and learned member for Camden had dwelt much upon the uselessness of the invisible police of Philadelphia at the time of the destruction of the Anti-Slavery Hall; but, if the newspaper reports of the day were not very wrong, the visible police at Windsor, even in the presence of the police magistrate, were of little more use during the disgraceful riots which followed the late election. The destruction of the Anti-Slavery Hall in Philadelphia had also been brought about in a great measure from the people who met there having ventured to tamper with the name of the great Washington in their debates, and to countenance him as a slave-owner. The population of the Windsor district was principally confined to the town itself; and although the district might be said to extend to Portland Head in one way, and to the neighbourhood of Penrith in the other, those of the former might come as readily to the Parramatta Bench as to Windsor: while those of the latter might go to the Bench at Penrith. He did not consider it decent that a measure which had been determined upon by a comparatively full House should be rescinded when a few members only were present; and thought a call of the House ought to have been resorted to on a measure of so much importance, at all events, as the numbers of those rescinding the resolution ought never to be less than the numbers enacting it. The opinion of the hon. member for the Cumberland Boroughs appeared to be, that if the commission of the peace was enlarged so as to take in those gentlemen who were competent for the office but were at present excluded, the Police Magistrate ought to be dispensed with, and this appeared to be the most reasonable plan to be adopted in the present instance. He did not see what permanent good could result from the discussion of the matter at the present time; for whatever course the Council might now adopt, the matter would have to be revised next year, when the District Councils took the levying of police rates in their own hands. And even if the Police Magistrates were dismissed now, they could be then restored, if the District Councils thought fit, with equal, or even increased salaries. And in the mean time, if they were so particularly anxious to retain the services of their Police Magistrate, it would be comparatively easy for them to do so by a guarantee upon themselves. He concurred in the sympathy expressed by the honorable and reverend member for Port Phillip with the Police Magistrate, but he should be inclined to go further than that sympathy, and if a small amount of compensation had been asked for on the ground of the sudden dismissal of that officer, should not have opposed it. If he had no other reason to oppose the motion than that it was positively indecent for that fragment of a Council to rescind resolutions passed at a full attendance of members, he should feel bound to do so, and if the motion was carried, it would only compel him to bring forward a proposition for preventing resolutions from being rescinded by a smaller number of members than those who had adopted them.

The COLLECTOR OF CUSTOMS denied that there was such a disproportion between the number of members then present and the number present when the resolution for the striking off the Police Magistrate of Windsor was adopted. The number on that occasion was twenty-two—and there had been that number present in the course of the afternoon, although but twenty were then in the House.

The ATTORNEY-GENERAL considered the request of the petition a very reasonable one, and that as the petitioners themselves had been guilty of no unnecessary delay, it was no fault of theirs if a majority of the House was not present. He was surprised to hear the honorable and rev. member for Port Phillip, who had resided so long in the colony and was a gentleman of such general experience, enlarge upon the benefits of the invisible police of Philadelphia: for, if he had taken the trouble to look at London, at Glasgow, or at any of the large cities of Great Britain, he would there have found a visible police—the purest in the world—being that established under the auspices of Sir Robert Peel. There were two petitions before the House, signed by the Warden and three other gentlemen of the district, whose opinions were considered of so high a value, that they were to swamp the petition which had four hundred signatures; allusions had been made to the smallness of the number of signatures, but considering the shortness of the time, and the object of the petitions, he thought they were numerously signed, for it must be remembered that a strict police magistrate like Mr. North came into contact with large numbers of people. The manner in which Mr. North performed his magisterial duties, was beyond all praise. With respect to the course pursued of one member pointing out one gentleman, and another member another, he could only say he trusted the Governor would most carefully exercise the prerogative entrusted to him, that he would not degrade the magistracy by thrusting unfit persons into the commission. If the prayer of the petition were agreed to, evidence would, perhaps, be adduced, that would surprise the House, as it would be shewn that even in expense there would be no saving. It was said that the people might pay the salaries themselves, but this was a mockery, for only a few nights before the House had come to a resolution, that the districts were not in a situation to pay the police expenditure. Much had been said about ticket-of leave signatures; now there was no evidence that any ticket-of-leave men had signed these petitions, but if they had, he would say they had a perfect right to do so. They have as much interest in the proceedings of the bench, and of knowing that justice is administered satisfactorily, as any class of the community, and their signatures to such petitions ought to have as much weight as those of any other persons.

Dr. NICHOLSON would ask the honorable members on the other side of the House, how they proposed to deal with a class of cases having greater claims than the people of Windsor could possibly have. In the same series of votes which had struck out the Police Magistrate at Windsor, the Police Magistrate at Geelong and the Grange had been cut off; and he would prove that there was greater occasion for a Police Magistrate in those thinly populated places than in a densely populated place like Windsor, and if time was given him, he would produce to the House petitions from those places; but he considered the vote of the other evening final, and there would be no end to the business if they proceeded in this way. He felt most deeply for those gentlemen who had lost their appointments, and would be most happy to concur in any measure for granting them a moderate compensation. The reduction was a matter of necessity, for, with a decreasing revenue, and the generally embarrassed state of the colony, there would be nothing to pay the salaries out of. He did not consider it would be decent for about twenty members to undo that which had been done by a larger number, and if anything was to be done, he thought there should be a call of the House.

Captain DUMARESQ wished to explain the reason which had induced him to vote as he had done. Upon making enquiries from several magistrates from Windsor, he found there were five, and that there were several other gentlemen equally competent for the magistracy. Surely these people could manage their own affairs. If personal feeling had anything to do with the matter, he would have voted for Mr. North, whom he held in the highest esteem. At Hartley, which was in a sort of desert place, where there were many people passing, he supported the vote, but when he was informed that there was several gentlemen in the neighbourhood who would perform the duties, he opposed it; but the House thought differently from him, and the vote was carried—and, he had no doubt, properly. The rule which guided him was, where there were no resident gentry to perform the duties, to support the vote for the police magistrate; and where there were gentlemen so situated, to oppose it.

Mr. COWPER said, that no person had a higher respect for Mr. North than he had, and if any claim for compensation was brought under the consideration of the House by the Executive he would support it. He voted against the continuation of the Police Magistracy, and was still of opinion that he voted correctly. Many respectable people residing in Windsor differed entirely from the views taken by the petitioners, and he had received communications, stating, that many persons who had signed the petition, would gladly take their names off, if they could do so. Allusions had been made to Mr. J. A Betts: he had received a note from that gentleman, in which he stated he was decidedly opposed to the petition, and considered that there was no occasion for a Police Magistrate at Windsor. Wherever the Police Magistrates have been done away with, no inconvenience had been felt. He alluded particularly to Campbelltown and Liverpool.

Mr. BOWMAN replied very briefly. He thought many of the arguments adduced in opposition to them strengthened the views of the petitioners. In consequence of the remarks respecting the signatures, a list of one hundred and fifty of them had been made out, and he was prepared to certify they were most respetable persons—chiefly yeomen.

The question, that the vote might be reconsidered, was then put, and the numbers were—

Ayes.... 11
Noes.... 10

Majority 1

Dr. NICHOLSON gave notice that he should move the House to reconsider the cases of Geelong and the Grange.

Mr. WINDEYER gave notice he should move a call of the House every day the subject was under consideration, and also, as he should require other evidence than that of the recipients of salaries, he should like to have some of those who have to pay.

## SOLVENT DEBTORS' BILL.

The House then went into Committee on the Solvent Debtors' Bill.

Mr. WENTWORTH said, the Governor had sent a message to the House, suggesting two amendments in this Bill; one of them had been made, and the opinion of the Committee being opposed to the second amendment, which related to the Sheriff's fees, he had undertaken to prepare a message to the Governor on the subject, which he would now submit to the Committee.

"Message from the Legislative Council to His Excellency the Governor, in answer to certain amendments, proposed by His Excellency in a Bill presented to His Excellency for the Royal assent, intituled, 'An Act to prevent the waste of the property of Debtors under process of Law.'

"Agreeably to the provisions of the 30th clause of the Act for the Government of New South Wales (5 and 6 Victoria, cap. 76), the Legislative Council have taken into consideration certain amendments proposed to the said Council by His Excellency the Governor, in his Message of the 12th instant, and have agreed to the first of the said amendments.

"But with reference to the second of these proposed amendments, the said Council having considered that the proposed reduction in the amount of the Sheriff's fees provided for in the 13th clause of the Act, was necessary to ensure a fair division of the estates of debtors among their creditors generally. And being still of opinion that the scale of fees, authorised in the said clause, is sufficiently large for all purposes of revenue, having reference to the 9th clause of the said Act, from which it will be seen that the judgments to be entered up under this Act are to be in the name of the principal creditor for the whole amount of the debts specified in the verified statement, beg to present the said Act to His Excellency for Her Majesty's assent; with the first of these amendments only so agreed to.

"Legislative Council Chambers,
"Sydney, November, 1843."

The Message having been agreed to, the House resumed, the Chairman reported progress, the Message was agreed to by the House, and it was ordered that the Bill should be engrossed and presented to the Governor, with the Message, by the Speaker, the Colonial Secretary, and the Attorney-General.

Some opposition was made by Mr. WINDEYER to the consideration of the Estimates being placed first on the Orders of the Day, every day. Considerable discussion took place on this point, when it was discovered there was no House.

Adjourned at half-past nine, till three this day.

## DOMESTIC INTELLIGENCE.

### INSOLVENCY PROCEEDINGS.

WEDNESDAY.

BEFORE the CHIEF COMMISSIONER.

PROOF OF CLAIMS.

In the estate of Mappin and Co., a first meeting; D. Jones and Co. £56 11s. 2d.; Felix Wilson, £81 13s. 4d.; Thacker, Mason, and Co. £171 4s.; *Australasian Chronicle*, £5 11s. 4d.; John Curtis, £22 16s.; Kemp and Fairfax, £11 9s. 2d.; J. C. Doiron, £1 2s.; J. Dunsmore, £11 13s. 9d.; Martin Gill, £22 14s.

In the estate of Cooke and Staddon, a first meeting; Gilchrist and Alexander, £88 2s. 6d.; Kemp and Fairfax, £18 18s. 6d.; the Commercial Bank, £58 13s. 3d.

MEETINGS FOR TO-DAY.

John Bird, a single meeting, at ten o'clock.
William Matthews, a single meeting, at half-past ten.
Hugh Kennedy, a single meeting, at eleven.
James Cullen, a single meeting, at half-past eleven.
Thomas Manwaring, a single meeting, at half-past one.
Robert Lord, a first meeting, at two.
Potts, Baxter, and Co., a second meeting, at half-past two.

MEETINGS FOR TO-MORROW.

Edward Youngman and Co., a third meeting, at ten.
James Nowlan, a special meeting, for examination only, at eleven.
Charles Robins, a special meeting, to determine on an offer to purchase the assets, at two.

The fourth page of this day's *Herald* contains—Law Intelligence, Domestic Intelligence, News from the Interior, Original Correspondence, English Extracts, and *Government Gazette*.

EQUITY COURT.—This Court was opened, yesterday, before the Chief Justice, when a new bill was filed in Flint *v.* Walker and another. An injunction was also applied for in the same cause, and granted on the usual terms, the argument being understood to come on when the answer is filed. Several motions of course were afterwards disposed of, and subsequently the Court was engaged in hearing the argument on a cause still undisposed of.

COURT OF VICE-ADMIRALTY.—This Court was opened *pro forma*, and adjourned till next Wednesday: the only business being of such a description, that, previous to hearing, it was necessary that it should pass through the office of the Master.

## EXTRACTS.

ENGLISH LIBERTY.—An event last week, closely connected as it is with the consolidation of the liberties of Englishmen, well deserves mention here. We allude to the inauguration of the monument erected to perpetuate the memory of the patriot Hampden, who received his death wound while struggling for the liberties of Englishmen on Chalgrove-field. A dinner to celebrate the 200th anniversary of Hampden's death took place at Chalgrove on Monday last. In the days when Hampden, with such a truly British spirit, opposed himself to an arbitrary court, there was little to cheer the patriot in his arduous career, for liberty had made no progress, and he had to rely mainly upon an indomitable spirit and a strong sense of the justice of his cause, and could not reckon upon the sympathy which, happily, in later times has been exhibited by the people in support of their rights. Hampden, however, lost his life in the attempt to maintain the liberties of his countrymen. The example has not been lost, for whenever any popular triumph was to be achieved his name has been cited as an incentive to the contest. There have been occasions when the professed friends of the people were dazzled by the blandishments of a court, and have deserted their principles. Hampden, however, was so devotedly attached to popular opinions, that when the tyrannical proceedings of the Star Chamber excited the indignation of every patriot, he urged all who had the true spirit of Englishmen, to leave their native land rather than be witnesses of its dishonour. Lord Clarendon, who was not at all disposed to be Hampden's panegyrist, in allusion to this act of devotion, says—"Hampden grew the argument of all tongues; every man enquired who and what he was that durst, at his own expense and peril, support the liberty and property of the kingdom and rescue his country, as he thought, from being made a prey to the court?" Even his enemies acknowledged the purity of his character, thus affording a strong illustration of the respect which true patriotism must inspire even from those who have aided tyrants and oppressors. Happily, these are times when liberty is in no danger. The battle of the constitution has been fought and won; but no man who can appreciate the advantages that have been obtained, ought to forget the great example that in adverse circumstances inspired the means of successful resistance to despotism, and laid the foundation of civil and religious liberty. The death of Hampden upon Chalgrove-field led to the consolidation of the rights of Englishmen, and the anniversary of its commemoration must ever be a memorable day.—*Atlas, June 24.*

SOCIETY OF ARTS.—On Monday, his Royal Highness Prince Albert, accompanied by his Grace the Duke of Sutherland, the Marquis of Northampton, the Earl of Dartmouth, and his Royal Highness's Secretary, Colonel Anson, attended the anniversary meeting of this society, when the rewards which have been adjudged during the present session, were presented to the candidates by his Royal Highness, who has recently condescended to accept the office of President of the society, vacant by the decease of his late Royal Highness the Duke of Sussex. At ten minutes past twelve his Royal Highness arrived in a private carriage, and was received at the threshold of the institution by the Vice-Presidents of the society, Mr. W. H. Bodkin, M. P.; Professor Pollock, F. R. S.; Dr. Roget, F. R. S.; Mr. W. Pole, F.R.S.; Mr. Benjamin Rotch, F.R.S.; Mr. W. H. Hughes, F.R.S.; Mr. R. Twining, F.R.S.; Mr. G. Moore, F.R.S. On entering the theatre his Royal Highness was received with the loudest acclamations, which lasted for several minutes. Mr. F. Wishaw, the Secretary, then proceeded to read the 96th anniversary report of the Society, which commenced by congratulating the members and the public on the great condescension which his Royal Highness Prince Albert had evinced in accepting the office of President of the society, and in gracing the meeting with his august presence. It then proceeded to trace the origin and progress of the society, and gave an elaborate *résumé* of its labours, during a period of ninety years, throughout which, at different intervals, it had been honoured with the patronage of his Grace the Duke of Norfolk, who had presided over it for twenty-one years; of the Right Hon. the Earl of Clarendon, for twenty-six years; and of Lord Folkestone and Lord Romney, the latter of which distinguished noblemen had held the office of president for thirty-two years. Since the last distribution of rewards, one hundred and twenty-five members had been elected, and the society had expended, since the year 1755, upwards of £100,000 in the encouragement of the arts. Amongst the distinguished British artists who had received its honorary medals were Sir Thomas Lawrence, Nollekens, Flaxman, Sir W. Ross, Landseer, and Finden, many of the *chef d'œuvres* of whose works were to be found in the society's museum. The report, at its conclusion, was loudly applauded. His Royal Highness then proceeded to distribute the rewards in the mechanics and fine arts, consisting of gold and silver medals, and accompanied by pecuniary gratuities. His Royal Highness presented the several medals to the candidates with a few appropriate remarks, hoping that they would preserve them as mementos during the remainder of their lives, as stimulants to future industry and well-doing. (Applause.) After a vote of thanks had been proposed and duly acknowledged, his Royal Highness took his departure.

NEW YORK, MAY 30.—DEATH OF NOAH WEBSTER.—Died in New Haven, about eight o'clock, on Sunday evening, Noah Webster, L.L.D., in the 85th year of his age. Dr. Webster has been a long time before the public as a prominent individual in the various departments of society, and a short notice of the principal events of his life cannot be unacceptable to the public. He was born in West Harford, in this state, October 16, 1758. He was a descendant of John Webster, one of the first settlers of Hartford, who was a member of the Colonial Council from its first formation, and subsequently Governor of Connecticut. Noah Webster entered Yale College in 1778. In his junior years, in the time of Burgoyne's expedition from Canada, he volunteered his services under the command of his father, who was captain in the Alarm List. In that campaign, all the males of the family, four in number, were in the army at the same time. Notwithstanding this interruption in his studies, Webster graduated with high reputation in 1778. During the summer of 1779 he resided in the family of Mr., afterwards Chief Justice Ellsworth, at Hartford. He was admitted to the bar in 1781. Subsequently, he engaged in the business of instruction, and being strongly impressed with the defects of such books as were then used in elementary schools, published in 1783, at Hartford, his *First part of a Grammatical Institute of the English Grammar*. The great success of this work, and of others of the same class prepared by him, is well known. His *Sketches of American Policy*, published in 1784, his writings in favour of the adoption of the Federal Constitution, in defence of Washington's proclamation of neutrality, and of the treaty negociated with Great Britain by Mr. Jay, had great influence on public opinion, and were highly appreciated. Various other topics during the same period were publicly discussed by him. In 1793 he commenced a daily paper in New York, which is now called the *Commercial Advertiser and New York Spectator*. Mr. Webster removed to New Haven in 1798, and in 1807 entered on the great business of his life, the *compiling of a new and complete dictionary of the English language*. This work he prosecuted amidst various difficulties and discouragements, and published the first edition of it in 1828. In the preparation of this dictionary he was led to investigate to a great extent the subject of etymology, and the relations of various languages to each other. This dictionary has been more favourably received than, as is believed, the author ever anticipated. His other publications are too numerous to be particularly mentioned here. Dr. Webster had enjoyed remarkably vigorous health till within a few days of his death. On Monday of last week he was slightly unwell, but no alarm was felt by his family. His disorder, however, soon took the form of pleurisy, and he gradually sank under the attack till, at the time abovementioned, in the full possession of his reason, he died with entire composure and resignation.—*New Haven Daily Herald.*

## MARRIAGES.

On the 28th ultimo, by license, at St. Philip's church, in this city, Mr. James Bryan, chief engineer to the Australian Gas Works, to Mrs. Anne Bushby, of the Dove and Olive Branch, Kent-street, Sydney, and relict of the late Jabez Bushby.

By special license, yesterday, at St. James's Church, by the Rev. Robert Alwood, B.A., John Stewart, Esq., Veterinary Surgeon, Sydney, to Sarah Pringle, daughter of the late Robert Pringle, Esq., London.

## ABSTRACT OF SALES BY AUCTION.

*We insert, for the information of the public, an abstract of all the public sales which take place*

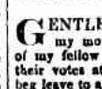
THIS DAY.

MR. LYONS.—At his Mart, at 11 o'clock, Rum, Beef, Pork, Rice, Hay, and Varnish.

MR. CHAPMAN.—On the Union Wharf, at 12 o'clock, Horse and Dray, Shingles, Cedar, Hardwood, &c.

MR. GANNON.—On the Premises of Mr. Dawson, at 11 o'clock, Rosewood and Cedar Logs. At the Yard of Mr. Ewen, at 11 o'clock, Deals.

## FOR PORT MACQUARIE AND THE CLARENCE RIVER.



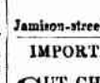
THE STEAM PACKET *MAITLAND*,
W. Parsons, master, will leave the Commercial Wharf, for the above ports THIS EVENING, at six o'clock.

The fare for steerage passengers to the Clarence, will be £3, including diet,

All freight and passage money must be paid in Sydney, before leaving the Wharf.

Commercial Wharf, Nov. 1. 6101

## FOR MELBOURNE.



THE well known BRIG *CHRISTINA*
Will positively sail for the above port on Saturday morning. For terms of freight and passage apply to
A. B. SMITH AND CO.
Sussex-street, November 1. 6092

## UNION BANK OF AUSTRALIA.

NOTICE is hereby given, that the half-yearly dividend of five per cent., declared on the shares in this Bank, at the Annual General Meeting of Proprietors, held in London on the 22nd June last, will be payable to the Colonial Shareholders on and after Thursday, the 9th instant.

J. C. M'LAREN,
Inspector.
Sydney, November 1. 6071

## TO THE ELECTORS OF MACQUARIE WARD.

GENTLEMEN,—I embrace the first opportunity that offers to return you my most sincere thanks for the honour you have this day conferred on me by electing me your representative in the City Council. I beg to assure you that it shall be my constant study to prove to you that your confidence has not been misplaced.

I am, Gentlemen, your obedient servant,
THOMAS COWLISHAW.
November 1. 6088

## TO THE ELECTORS OF BRISBANE WARD.

GENTLEMEN,—I take the earliest opportunity of returning you my sincere thanks for the honour you have done me, by electing me as a City Councillor for Brisbane Ward. Hoping that my exertions in the Council for the welfare and interest of you, and the citizens at large, will always meet with your approbation.

I have the honour to be,
Gentlemen,
Your obedient servant,
JOHN COYLE.
George-street, November 1. 6094

## TO THE ELECTORS OF BRISBANE WARD.

GENTLEMEN,—I beg leave to return my most grateful thanks to that portion of my fellow citizens who honoured me with their votes at the Town Hall this day; and I beg leave to assure you that I consider it a most respectable defeat. With many thanks for the interest and trouble you took to secure my election,

I have the honour to be,
Gentlemen,
Your obliged servant,
EDWARD HUNT.
Jamison-street, November 1. 6091

## IMPORTANT TO KEEPERS OF HORSES.

CUT CHAFF, well known to be superior to wheaten ditto, and at as low a rate. Hay of any description cut expeditiously, at 6d. per cwt., on the premises of
ALEXANDER STEEL,
6069 Baker, Market-street.

## PURE LEMON SYRUP,

WARRANTED to be of the finest quality, at (10s.) ten shillings per dozen at
W. G. MOORE'S
Auction Mart, Pitt-street.
N.B. none is genuine that does not bear the seal of W.G.M. on the label. 6105

SALT, to be sold at the Salt Stores, Clarence-street, and at Champion's, on the Parramatta Road, at £4 (four pounds) per ton, or five shillings by the single hundred. 6076

## TO STOREKEEPERS, DRAPERS, SHOPKEEPERS, AND OTHERS.

MR. FAWCETT begs to inform the above that he has always on sale, by private contract or public auction, all descriptions of PLAIN and FANCY SOFT GOODS, at prices to meet the depressed state of the times, which will be sold for cash only on delivery.

George-street, adjoining the Bank of New South Wales Sydney, November 1. 6099

## RICHMOND.

### IMPORTANT TO TANNERS, CURRIERS, AND OTHERS.

MR. GEORGE SEYMOUR has the honour to announce that he has received instructions from Mr. George Guest, of Richmond, to dispose of, by private contract, on or before the 10th day of November next, the whole of his Stock-in-Trade, Tanning and Currying apparatus, consisting of

About three hundred sides of Leather of various descriptions, and of the best quality.
Two hundred Sheep Skins, and a number of Calf Skins.

Also, the unexpired Lease of the extensive premises, which has two years to run, and on which the proprietor has expended between four and five hundred pounds.

The above premises are now in full trade in its several branches, and a great number of hands are employed.

Mr. G. S. further begs leave to announce, that if the above property is not disposed of as above specified, the same will be sold by Public Auction, of which due notice will be given in a future advertisement.

The Terms are liberal,—the particulars of which may be ascertained on application to the Auctioneer, at his Mart, George-street, Windsor.

Mr. G. S. cannot permit the present opportunity to escape without impressing upon the minds of intended purchasers, the profits which may be derived from so lucrative a business as the one now offered to their notice; and he is instructed by the proprietor to say, that the only reason of his giving up so profitable a concern, is on account of his intention to proceed to England at an early opportunity.

Mr. George Seymour has the honour also to acquaint the public generally, that he has received instructions from the proprietor to dispose of by private contract, one of the best and handsomest Farms on the River Hawkesbury, containing one hundred acres, more or less; full particulars of which may be obtained on application to him, at his Mart, George-street, Windsor.

All applications (if by letter) to be post paid.
Windsor, October 26. 5851

## FOR SALE,

TWO TONS BLACK OIL, ex *City of Sydney*.
6085 J. B. METCALFE.

## WOOL-SORTING.

THE undersigned will class and re-pack wool during the ensuing season, at his stores, Miller's Point, if in good packages and condition, at one farthing per pound. Settlers are requested to engage their clip early, as only five hundred bales more can be undertaken.

FREDERICK EDSWORTH,
6084 Bligh-street.

NOTICE is hereby given, that the usual License of Departure was this day granted to Mrs. Marian Richards, to proceed in the brig *Louisa*, bound to Hobart Town, agreeably to the 10th section of the Act of Council, 4 Victoria, No. 17.

H. H. BROWNE,
Superintendent of Water Police.
Water Police Office, Sydney,
November 1. 6087

TAKE NOTICE,—If Mr. Campbell does not send for the guitar left in my possession, within fourteen days from this date, it will be sold, to defray all expenses incurred.

MALCOLM PERRY.
Newcastle, October 28. 6065

WANTED to borrow, the sum of £400, for which 15 per cent. will be given. For particulars apply by letter, to be left at the *Herald* Office, to R. The security undeniable. 6102

## TO COLLECTORS AND TOWN TRAVELLERS.

REQUIRED, an industrious young man, of business habits, to collect orders on commission. To a person whose time is only partly occupied in collecting accounts or orders for others, this may prove more especially desirable, as it will not interfere with other engagements. For address apply to Mr. Moffitt, stationer, Pitt-street. 6076

WANTED, a man and his wife, as general house servants. Apply to Mr. Macdonald, Ordnance Office. 6074

WANTED, A healthy and cleanly young person, as wet nurse. Immediate application to be made at the *Herald* office.
November 2, 1843. 6104

WANTED, two young women, one as Housemaid, who can assist in the washing, and clean boots and knives; the other to wait at table, clean plate, &c., &c., and work well at her needle. None need apply but who can have good characters from their last places. For the address apply to *Mr.* Beames, grocer, George-street. 6075

WANTED, a respectable middle-aged Woman, to take charge of two infants, and to do needlework. Also, a Woman as General Servant, to wait at table, and wash children's clothes. A good character required from the last places. Apply, from three to five, at Mrs. James Johnson's, College-street, Hyde Park. 6083

CAUTION.—I hereby give notice that I will not be answerable for any debts my wife may incur on my account, she having left her home without any just cause or provocation. It is supposed that she is at present residing in Windmill-street, living with a stonemason.

CHARLES STEPHENS.
Parramatta-street, November 1. 6063

TO LET, a House situated in Bridge-street, lately the Oxford Arms Inn. It has been thoroughly repaired, and is well adapted for an inn or private residence. Apply to Mrs. Terry, No. 4, Pitt-street. 6067

TO LET, the verandah cottage adjoining the residence of John Hosking, Esq., in Pitt-street, containing six rooms; a pump of fresh water: together with a separate dwelling-house, a twenty-stalled stable, coach-houses in proportion, and a large yard. Terms, £3 per week. Apply to Mr. Hayward, on the premises. 6066

A COTTAGE TO LET, containing four rooms, and detached kitchen, with or without a stable, within three minutes' walk of the new Court-house. Apply to
JOHN HILL,
6086 Woolloomooloo.

TO LET, two verandah cottages on the Sydney Glebe road, containing six rooms and a kitchen. A large piece of garden ground and a well of good water to each. Rent of the first £35, and of the second £60, per annum. Immediate possession may be had. Apply on the premises, or at No. 59, George-street, opposite the Market. 6093

TO LET, that commodious farm, Darling Forest, near Ulladulla, containing eight hundred acres of choice land, one hundred and thirty acres of which are cleared, and fenced in with a pig proof fence. There is a comfortable dwelling-house, and excellent out-offices, garden, and orchard, with an extensive run. Three hundred head of cattle, and forty of horse stock, will be let on thirds; together with the farming implements and dairy utensils, &c. Apply to Mr. Walter M'Lean, Castlereagh-street, near Liverpool-street. 6072

## SALE BY AUCTION.

### COTTAGE AND GROUND IN ELIZABETH-STREET.

W. H. CHAPMAN, City Auctioneer, begs respectfully to acquaint his friends and the public generally, that the sale of the Cottage and Ground, Elizabeth-street, advertised to take place This Day, is unavoidably postponed to the 6th instant, on which day it will be positively sold without reserve. 6090

### IN THE INSOLVENT ESTATE OF MR. D. EGAN.

VERANDAH COTTAGE AND GROUND, ELIZABETH-STREET.
WITHOUT RESERVE.

W. H. CHAPMAN, City Auctioneer, has been favoured with instructions from the Trustee, to sell by auction, without reserve, on MONDAY next, 6th November, on the premises, Elizabeth-street, near the Court House, that handsome Verandah Cottage now leased for four years to Mr. Barrister Fisher at the low rental of £100 per annum; this Cottage is well worthy the attention of persons of capital—it is neatly and substantially built; the situation for health and convenience is unequalled, and being only a few yards from the Court House and public offices will always insure a respectable tenant. 6089

### KENSINGTON,

Corner of Parramatta-street and Kensington-street,
NEAR GILLESPIE'S BAKERY,

SIX VALUABLE BUILDING ALLOTMENTS

MR. STUBBS is instructed to sell by public auction, on FRIDAY next, the 3rd day of November, 1843, on the Ground, Parramatta-street, at One o'clock precisely, P.M., to suit the convenience of buyers,

THE ABOVE PROPERTY,
FORMERLY MAJOR DRUITT'S.

They embrace most commanding situations in this most thriving and populous part of the City; and notwithstanding the "grumbling" of the "times," there is well known to be plenty of money in the hands of those who only part with it on substantial good grounds of investment like these allotments present.

Of all the inducements ever held out for public benefit and good, it is out of the question not upholding by every recommendation at the auctioneer's hands such property as this, which from its advantageous frontages, convenient depths, and prominent situation, gives up to none in the city of Sydney for profitable account in the way of good rental upon small building outlay.

Terms at sale. 6073

## REDFERN ESTATE,

EXEMPT FROM THE NOW AND COMING CITY RATES,
For immediate occupation

### FIVE RESIDENCES

IN UPPER PITT-STREET.

ENTRANCE HALL AND SIX ROOMS EACH, with attached Kitchen, Servants' Room, Water, &c.

Frontages 35 feet each, depths 230 feet ditto, more or less.

MR. STUBBS has received instructions from the proprietor, to submit to public competition, on MONDAY, the 6th day of November, 1843, at the Mart, King-street. Sale at Twelve o'clock.

ALL THE ABOVE

unexceptionably valuable property, built under the design and supervision of a practical surveyor; these delightful residences have not only all the luxury of extensive back ground for pleasure or vegetable gardens, but, moreover, have splendid extent of thirty feet frontages, more or less, so that the rooms are most agreeably allowed a square of fourteen feet, besides the entrance-hall, which, with the suitably-sized twelve-feet other rooms, and

THE VERANDAH

in front (approached through a plot of garden ground neatly pallisaded off) gives the *tout ensemble* of comfort and accommodation not surpassed in any other portion of the Redfern Estate, much as it has been sought as a place of residence, or as a quarter to get a ready rent from.

The distance is really nothing from the City, and when

UNDER GOVERNMENT PERMISSION,

the subscription is completed, and the opening of Pitt street through the paddock is finished, the fence run up, then this street will be considered, as a matter of course, the short step to the city and public offices.

Terms will be very liberal indeed, and made known at sale. Three of the Cottages are now at at £50 per annum. 5162

## VAN DIEMEN'S LAND HAY.

MR. SAMUEL LYONS will sell by auction, at his Mart, corner of George-street and Charlotte-place, THIS DAY, the 2nd instant, at Eleven o'clock,

Thirty-nine trusses Van Diemen's Land Hay.
Terms at sale. 6055

ON ACCOUNT OF WHOM IT MAY CONCERN.
*Ex Sir Archibald Campbell.*

## RICE, VARNISH, AND RUMS.

MR. SAMUEL LYONS will sell by auction, at his Mart, corner of George-street and Charlotte place, THIS DAY, 2nd day of November at Eleven o'clock precisely, (to pay freight and other expenses,)

TR—600 bags Table Rice
V—12 casks Varnish
1/6—40 hogsheads Rum
" 10 puncheons ditto.
Terms—Cash. 539

## CONTINUATION OF SALE.
### THE LATEST IMPORTATION
OF
### CHINESE CURIOSITIES, &c.
Consisting of
NEARLY SEVEN HUNDRED PACKAGES,
Ex *Gondolier*,

TO BE SOLD BY AUCTION, BY MR. SAMUEL LYONS, at his Mart, corner of George-street and Charlotte place, on TUESDAY, 7th November, at eleven o'clock precisely,

THE REMAINDER OF A VALUABLE ASSORTMENT OF CURIOSITIES, ORNAMENTS, HATS, PRESERVES, CHAIRS, WORK BOXES, TABLES, &c., which are of a description superior to any ever brought to this colony, and particularly deserving the notice of private families, and those requiring useful and ornamental articles, which will be disposed of in lots to suit the taste of purchasers, and

WITHOUT RESERVE.

Ladies' ivory baskets
Card cases and paper knives
Cigar cases
Play, tortoiseshell, and feather fans
Mother-o'-pearl, ivory, and sandal-wood ditto
Tortoiseshell baskets
Ivory cribbage boards
Mother-o'-pearl butter knives
Tortoiseshell paper knives
Mother-o'-pearl silk winders
Sets alphabets, *green slippers*
Tartar women's shoes
Mandarin winter hats
Linguist hats and Mandarin silk caps
Sewing silk
Sets punch bowls, three in a set
Flower vases
Green China slop basins, white saucers
Table, soup, dessert, and cheese plates
Waste paper baskets
Gentlemen's bamboo hats and caps
Chinese shields and Nankin blinds
Ivory card racks, work and card baskets, vases, and memorandum books
Sets card counters, whist ditto
Chinese chopsticks, Mandarin summer hats
Chinese women's shoes, flower jars in variety
China chambers, with covers
Blue China slop basins, with saucers
Earthenware teapots
Sets rattan clothes baskets
Chinese and Tartar soldiers' hats, various
Wine and tiffin baskets, large and small
Rattan chairs, large and small
Picnic baskets, garden seats
Drawing-room ornaments
Tea caddies, cigar boxes
Ladies' work boxes, writing desks
Fine China grocers' paper, coarse ditto
Lacquered card boxes
Sets paper boxes, sets of trays
Ladies' work tables

CHINA TRUNKS

100 catties black sewing silk
20 ditto coloured ditto
75 boxes ginger preserve } In sugar candy
25 ditto chow-chow } shrub
25 kegs negrohead tobacco
100 chests cassia.

N.B.—The negrohead tobacco, chow-chow, ginger, and cassia, will be put up at one o'clock precisely.

Terms at sale. 6095

## TO IRONMONGERS, DEALERS, AND OTHERS.

RICHARD FAWCETT will sell by auction, at his Rooms, adjoining the Bank of New South Wales, on FRIDAY, 3rd November, at half-past nine for ten o'clock precisely,

Five casks, containing files; socket, firmer, and joiners' chisels; cut irons, bright choppers, axes, adzes, augers, garden shears, black helved hatchets, scissors, table cutlery, steels, razors, pocket and sportsmen's knives, plane irons, butchers' knives, knife combs, braces and bits, spokeshaves, brick trowels, sheep-shears, &c.

Terms, cash. 6098

## TO DRAPERS, DEALERS, AND OTHERS.

R. FAWCETT will sell by auction, at his Rooms, George-street, adjoining the Bank of New South Wales, on FRIDAY, the 3rd of November, at half-past nine for ten o'clock precisely,

One case assorted parasols
One case white assorted lappets
Two cases mousseline de laine dresses
One case rich Chusan ditto
One case checked muslins
One bale regatta shirts
One case chenè and checked shawls
One bale linen ticks
One case striped hollands
One case Derby dowlas
One case printed jaconets
Two bales unbleached calicos
Two bales super and shirting calicos
One bale flannels
Two cases white and coloured reel cotton
One case white shirts and India rubber braces
One bale slippers
One hundred and fifty coils of rope
One trunk Taglioni coats
Ten dozen brown linen blouses
One case drab hats
With a lot of fancy goods, &c. 6100

## TO IRONMONGERS, DEALERS, CARPENTERS, CABINETMAKERS, &c.

MR. POLACK will sell by auction, on FRIDAY next, the 3rd of November, at his Rooms, late Bank of Australia, Positively without the slightest reserve, and by order of the Trustees:

Planes—trying, long, jack, beading, sash, smoothing, rabbet grooving, ploughs, &c., &c.
Locks—door, plated, mortice, bushed, cupboard, desk
Bronze and brass padlocks, &c., &c., &c.
Sheep bells
Cork squeezers, sinks, traps, door-handles, gridirons, saucepans, door-bolts, knockers, pestles and mortars, sash-lights, large boilers, and every other description of ironmongery.
Terms at sale. 6077

## VARIETY.

MR. POLACK will sell by auction, at his rooms, (late Bank of Australia), on FRIDAY next, November 3rd, to close accounts,—by order of the different parties concerned,

13 bags coffee
50 gross Bell's lucifers
3 cases scented soap
1 case lavender water
1000 boxes night lights
1 chest of tea
14 kegs of paint
20 dozen port wine
44 pieces of calico
1 tin case of gentlemen's stocks and collars
6 cases, 1 dozen each, castor oil
4 certificates tobacco
4 cases curry powder
1 cask Warren's black
3 dozen olives
Cash, and no reserve. 6078

## IN THE INSOLVENT ESTATE OF HENRY FLETT,
OF THE MANNING RIVER.

CATTLE, HORSES, SHEEP, &c.

MR. POLACK has received instructions from the trustee to the estate of Henry Flett, an insolvent, to

## LAW INTELLIGENCE.

SUPREME COURT.—INSOLVENCY BUSINESS.
WEDNESDAY.

BEFORE His Honor Mr. Justice STEPHEN.

CONFIRMATION OF TRUSTEES.

The following appointments of trustees were confirmed by the Court upon the motion of the CHIEF COMMISSIONER :—

| *Estates.* | *Trustees.* |
|---|---|
| Joseph Hickey Grose | Felix Wilson, James Holt, and Lancelot Iredale. |
| Joseph Chambers | William John Pelham |
| James Gannon | Nehemiah Rundle. |
| Edward Bailey | William Joyner. |
| Henry Day | John Moring. |
| Gerald H. Gibbons | John Morris. |
| Sarah Lowe | Thomas Wilford and Thomas Rudd. |
| John Martin | James Martin. |
| Martin M'Evoy | John Connell. |
| Frederick Peterson & Co. | William Buyers. |
| James Keppie | William Neil Monies. |
| *Estates.* | *Provisional Trustees.* |
| William Barnet | John Thacker and Frederick Parbury. |
| Patrick Carrol | William Neil Monies. |
| Michael Farrell | Henry Fisher. |
| John Jones | Henry Bennett. |
| Mary Lakeman | Henry Bennett. |
| Joel Asher | Walter Gray. |

PLANS OF DISTRIBUTION.

Plans of distribution were confirmed by the Court upon the motion of the Chief Commissioner, in the following estates, namely :—In the estate of Edward Biddulph, yielding a dividend of 8d. in the pound. In the estate of John Lloyd Smith, yielding a dividend of 2½d. in the pound; and in the estate of Thomas Hammond, yielding no dividend after the payment of the creditor having a preferable claim.

CERTIFICATES OF DISCHARGE.

Certificates of Discharge were allowed by the Court to Gavin Ralston and William George Fitzwater.

ESTATE OF EDWIN HICKEY.

Mr. MANNING applied to the Court to have this estate released from sequestration, an arrangement having been made by which the insolvent has agreed to pay his creditors the whole of their respective claims within three years.

Mr. BROADHURST opposed the application, on the ground that certain costs said to have been incurred by Joseph Josephson, formerly provisional trustee of the estate, in calling a meeting for the examination of the insolvent, ought in the first instance to be paid.

Mr. MANNING opposed the payment of these costs, contending that Mr. Josephson had incurred them in order to further his own views of obtaining a preference from the insolvent in the shape of security on real property for the payment of his claim, with interest thereon.

After some further arguments, His HONOR took time to consider his decision; but it was afterwards decided by the Court, that the estate should be released from sequestration, subject to the payment of these costs.

The Court then adjourned.

ASSESSOR CASES.—His Honor Mr. Justice Burton, with Captain Deloitte and W. Dawes, Esq., assessors, sat for a short time in the Supreme Court, yesterday, for the purpose of hearing and disposing of cases of the above description, but none of the cases so disposed of were of an important nature.

## DOMESTIC INTELLIGENCE.

### CITY ELECTION.

YESTERDAY being the day fixed by the Act of Council for the election of a Councillor for each Ward of the City, the elections were held at the usual time and places. Every thing passed off in the most orderly and quiet manner. The following were the numbers polled in each Ward :—

CITY WARD.

Alderman Edward Flood, Esq., J. P.; assessors, W. H. Christie, and W. C. Roemer, Esquires.

| | |
|---|---|
| Agars | 160 |

Mr. Agars was one of those elected to fill up an extraordinary vacancy about a month since, and having supplied the place of the Councillor with the least votes, he had now to retire. He was unopposed.

BOURKE WARD.

Alderman, Henry Macdermott, Esq., J.P.; Assessors, T. Cadell, and T. Younger, Esqs.

| | |
|---|---|
| Thurlow | 223 |
| Blackman | 105 |

Mr. Thurlow was elected to fill an extraordinary vacancy a few weeks since, and was the retiring member.

COOK WARD.

Alderman, Thomas Burdekin, Esq., J.P. Assessors, Thomas Barker and H. Bell, Esqs.

| | |
|---|---|
| Woolley | 103. |

Mr. Woolley was unopposed. Mr. Hollinshed, the retiring candidate, had addressed the electors, but he did not poll any votes.

BRISBANE WARD.

Alderman, George Allen, Esq.; Assessors, Acton Sillitoe and David Poole, Esqs.

| | |
|---|---|
| Coyle | 168 |
| Hunt | 112 |
| Williams | 59 |

Mr. Hunt was the retiring member. Mr. Williams retired from the contest about twelve o'clock.

MACQUARIE WARD.

Alderman, J. R. Wilshire, Esq., (Mayor); Assessor, Thomas Bowden, Esq.

| | |
|---|---|
| Cowlishaw | 150 |
| Williams | 94 |

Mr. Cowlishaw did not expect any opposition, and it was not until about twelve o'clock when Mr. Williams, finding he had no chance of succeeding in Brisbane Ward, endeavoured to carry Macquarie Ward by surprise, but Mr. Cowlishaw's friends exerted themselves with great success.

PHILLIP WARD.

Alderman: Thomas Broughton, Esq., J.P.; Assessors: Dr. Wallace, and — Wilshire, Esq.

| | |
|---|---|
| Taylor | 185 |
| Wilkie | 151 |
| Hayes | 29 |

Mr. Taylor was the retiring councillor. Mr. Hayes, finding he had no chance, discontinued polling early in the day.

ELECTIONEERING SQUIBS.—We are not very particular about the contents of electioneering squibs, so long as they are not malicious and refer only to the parties directly interested, when, however, other persons, or classes of individuals, are dragged into the controversy, it is highly objectionable. Some injudicious friend of Mr. Blackman published as an advertisement, and circulated as a handbill, a paper to which these remarks particularly apply. The opponent of Mr. Blackman, Mr. Thurlow, is an attorney, and the following were given among other reasons why the citizens should support Mr. B. in preference to Mr. T.—"Because an Act of the Imperial Parliament of Britain does not allow an attorney to become a magistrate; so that if an attorney-councillor is elected an *alderman*, he cannot be admitted to the commission of the peace, which the Governor has granted to all the other aldermen, to establish a corporate bench. Because every councillor is expected to go to the Council and give his opinion, and vote to the best of his abilities: whereas it is notorious that all the councillors elected hitherto, who are attorneys, when applied to in the early and infant state of the city institution (while all that was required was doubtful and had to be produced from a chaos) placed a reserve on their opinions, which no other councillor had; and while each of the others delivered his sentiments boldly, subject to the applause or censure of the citizens, or of the Press, these professional members affected that reserve, either dignified as a judge or ridiculous as an owl,—like the artificial allurements of a courtezan, or the coquetry of a prude." This is not only objectionable, but it is decidedly untrue. The attorneys referred to can only be Messrs. Allen and Owen, to neither of whom do the remarks apply. Mr. Owen was only in the Council for a short time, but during the period which he held his seat he was a most useful member, and the citizens learned his retirement with regret. Mr. Allen has been most indefatigable in his attendance at the Council Chamber; with the exception of a few weeks that he was confined to his house by illness, he has, we believe, attended every meeting of the Council, and it is untrue to say that he has placed a reserve on his sentiments; he has, on the contrary, given utterance to his opinions upon every question of importance that has come before the Council. We have thought it right to make these remarks, not only on account of the principle involved, but also as an act of justice to one of the most intelligent and useful of our councillors.

TEGG'S MAGAZINE.—That enterprising publisher, Mr. Tegg, of 73, Cheapside, (father of the Messrs. Tegg of Sydney and Hobart Town), has commenced the publication of a "Magazine of Knowledge and Amusement;" a work intended to promote the happiness of society, advance the interests of religion, virtue, and humanity, and encourage a spirit of industry, perseverance, and economy amongst all classes." We have been favoured with the first number of this work, which contains a variety of instructive and amusing articles, calculated to effect the objects which the publisher declares he has in view, and we can confidently recommend it to the perusal of our readers.

LATE NEWS.—Our subscribers have had occasion lately to complain of their newspapers not being delivered with the accustomed regularity, but we can assure them that this is not from any want of attention on the part of our printers, but is unavoidable. Our usual time for going to press is two o'clock in the morning; but when the Legislative Council sits until a late hour, and there is a lengthy debate, it is generally five and often six before we go to press, and although our machinery enables us to print twelve hundred papers in an hour, it is impossible that persons living in the outskirts of the town can be supplied with a paper until after eight o'clock. Our readers may rest assured that no exertions will be spared to supply them with the *Herald* at as early an hour as possible: we endeavour to send the papers from the office at six o'clock, and on ordinary occasions do so, but it must be borne in mind that late news and early publications are incompatible with each other. By-the-bye, our subscribers need not make our being a little backward in publishing a reason why they should be backward in paying their accounts.

PUBLICANS' NIGHT LICENSES.—On Tuesday last, a petty Sessions was held at the Police Office, when publicans' night licenses were granted in favour of the following individuals, viz: Gregory Board, of the Blue Lion, corner of Market and Clarence streets, to be open till eleven at night. John Harris, of the Blue Posts, Sussex-street, near the Patent Slip, to remain open till ten. W. R. Green, of the Chippendale Hotel, Chippendale, to remain open till twelve at night. A license was also ordered for Denat Lee, to act as poundkeeper on the North Shore.

THE LEGISLATURE.—The following is the extract from Kent's Commentaries on American Law, which was referred to by Mr. Cowper in his speech reported in the *Herald* of yesterday :—"The power of making laws is the supreme power in a state, and the department in which it resides will naturally have such a preponderance in the political system, and act with such mighty force upon the public mind, that the line of separation between that and the other branches of the government ought to be marked very distinctly and with the most careful precision. The constitution of the United States has effected this purpose with great felicity of execution, and in a way well calculated to preserve the equal balance of the government, and the harmony of its operations. It has not only made a general delegation of the legislative power to one branch of the government, of the executive to another, and of the judicial to the third; but it has specially defined the general powers and duties of each of these departments. This was essential to peace and safety in a government, clothed only with specific powers for national purposes, seated in the midst of numerous state governments retaining the exclusive control of their local concerns. It will be the object of this lecture to review this department; and I shall consider this great title in our national polity under the following heads: (1) The constituent parts of congress, and the mode of their appointment. (2) Their joint and separate powers and privileges. (3) Their method of enacting laws, with the qualified rejection of the president. 1. By the constitution all the legislative powers therein granted are vested in a congress, consisting of a senate and house of representatives. The division of the legislature into two separate and independent branches, is founded on such obvious principles of good policy, and is so strongly recommended by the unequivocal language of experience, that it has obtained the general approbation of the people of this country. One great object of the separation of the Legislature into two houses, acting separately, and with co-ordinate powers, is to destroy the evil effects of sudden and strong excitement, and of precipitate measures, springing from passion, caprice, prejudice, personal influence, and party intrigue, &c., which have been found by sad experience, to exercise a potent and dangerous sway in single assemblies. A hasty decision is not so likely to arrive to the solemnities of a law when it is to be arrested in its course, and made to undergo the jealous and critical revision of another and a rival body of men, sitting in a different place, and under better advantages to avoid the prepossessions, and correct the errors of the other branch. The Legislatures of Pennsylvania and Georgiana consisted originally of a single house. The instability and passion which marked their proceedings were very visible at the time, and the subject of much public animadversion; and in the subsequent reform of their constitutions, the people were so sensible of the defect, and of the inconvenience they had suffered from it, that in both states a senate was introduced. No portion of the political history of mankind is more full of instructive lessons on this subject, or contains more striking proof of the faction, instability, and misery of states under the dominion of a single unchecked assembly than that of the Italian republics of the middle ages, and which arose in great numbers, and with dazzling but transient splendour, in the interval between the fall of the Western and the Eastern empire of the Romans. They were all alike ill constituted, with a single unchecked assembly. They were alike miserable, and all ended in similar disgrace."

ORPHAN SCHOOL APPRENTICES.—For some months past a considerable number of the Orphan School apprentices, under indentures in Sydney, have not only become very insolent to their employers and fellow-servants, but on several occasions have taken French leave of their masters' premises, and returned back to the place they had been indented from. On Tuesday, two of these boys were brought before Messrs. Windeyer and Mackenzie, when it was given in evidence that the one who was apprenticed to Mr. Carrick, of King street, as a baker and pastry-cook, refused to wash the plates, abused every one on the premises, and ultimately ran back to the Orphan School about ten days ago. Since then he had been residing at the house of a man who was sworn to be cohabiting with the boy's mother. It was also proved that the defendant had now learned so much of his business as to be very useful, and likely to become an excellent tradesman; but that some person in the baking line in Sydney had filled his head with the idea that if he could get his indentures cancelled he would be able to obtain the wages of a journeyman. The Bench sentenced the prisoner to be confined in the cells for seven days, fed on bread and water, and on the completion of his sentence to be again returned to his master; and if again guilty of a similar offence, he would be punished far more severely. The other apprentice, a school-fellow of Maloney, was under indenture to a boot and shoe maker, named Henry; and within a few days past had struck his fellow-apprentice, for bringing him (by his master's order) the boots and shoes used in the family to clean; he then threw them away, got off the premises, and made straight back to the Orphan School. He had been two years at the trade under another master, and, like Maloney, was very anxious to become his own master. Being a repeated offender he was sent ten days to the cells, to be fed on bread and water, and returned to service. The Court informed him, that if he persisted in the same course, the Court would feel itself bound to try if he could live on bread and water, with the addition of a severe whipping at the commencement, and another at the termination of each sentence.

NORFOLK ISLAND.—A Commission of Oyer and Terminer has been issued by His Excellency the Governor, under the Act of Council appointing a Court for the trial of certain prisoners at Norfolk Island. Mr. Purefoy, barrister-at-law, has been appointed Judge of the Court; and Mr. Francis Fisher, formerly Crown Solicitor, has been nominated to the office of Crown Prosecutor in the same commission. We have not heard that any counsel has yet been assigned for the prisoners, whose number is represented as being from eighteen to twenty.

THE PARRAMATTA FRAUDS.—The Police Office, at Parramatta, has been crowded during the last few days, to hear a charge of fraud and embezzlement preferred against Mr. Hamilton, contractor for supplying the convict hospital, and Mr. Hanan, overseer of that hospital; after an investigation, which lasted two days, both parties were committed to take their trials. Mr. Hanan was afterwards charged with the embezzlement of stores in his charge, and was committed to take his trial on that charge also. On Tuesday evening, Mr. Nichols, at the instance of Hanan, then under committal, preferred a charge against Dr. Patrick Hill, of appropriating to his own use vinegar and oatmeal belonging to the hospital; a summons was issued, returnable on Saturday.

POLICE COURT BUSINESS.—WEDNESDAY.—There was but one charge of drunkenness, against a female, who paid a fine of 11s. There were nine charges on the general list—Alexander Green, for malicious injury to property, remanded for sentence; Richard Kelly, for stealing, committed for trial; Ann Loughton, for stealing £6 2s. 6d., remanded; John Wood and William Condon, for gambling in the Market-place, both admonished and discharged; George Luxford, for forgery, remanded to Parramatta; Henry Davis, for an assault, was bound to the peace, himself in £20 and two sureties in £5 each.

HYDE PARK BARRACK COURT.—Yesterday the black convict, of whose apprehension an account appeared in this journal on Tuesday morning, was brought up at the Hyde Park Court and sentenced to be worked on Cockatoo, in irons, for four years, viz.,—two for being a repeated runaway, one for a robbery charged against him, on Monday morning, for which he was apprehended, and one year for cutting and maiming those who endeavoured to secure him.

ROBBERY.—About seven o'clock on Tuesday evening, a man named Francis Morris, assigned to Mr. O'Brien, late of the *Monitor* Office, was sent to the post-office with some letters; when he walked up to the door of a draper, near the Post Office, where some coats and Panama hats were hanging—pulled down two hats and a coat, and immediately set off at full speed with the property, up King-street, shouting "stop thief!" and followed by several others making the same outcry. The Acting Chief Constable hearing a noise, joined in the chase, and succeeded in collaring Morris; when a struggle ensued, and the latter stumbled and was thrown on the middle of a quantity of crockery exposed in the street, where he was handcuffed and safely lodged in the watch-house. He was brought up at Hyde Park Court yesterday, and ordered to be worked in irons for twelve months. The owner of the crockery became very noisy as to the damage she had sustained by at least 2s. 6d. worth of it being smashed. But a sensible person, who happened to be passing, quieted her tongue, by pointing out to her that, if the constables were to look strictly into the matter, she might be fined for obstructing the pathway, by placing her goods there for sale.

TICKETS OF LEAVE CANCELLED.—The following prisoners of the Crown have had their tickets of leave cancelled for the reasons affixed to their respective names :—George Brown, per *Mangles* 7, for disorderly conduct, Brouley Bench. Patrick Bourke, per *Parmelia* 1, for disorderly conduct, Maitland Bench. Catherine Callaghan, per *Margaret* 2, for a violent assault, Hyde Park Barracks Bench. William Chappell, per *Earl Grey* 2, for highly improper conduct, Melbourne Bench. James Dillon, per *Waterloo* 3, for dishonest conduct, Yass Bench. Joseph Falkner, per *Earl Grey* 2, for being out after hours, and stating himself free, Hyde Park Barrack Court. James Farrell, per *Neptune* 4, for being out of his district without a pass, Goulburn Bench. Francis Handam, per *Albion* 1, being unfit to hold a ticket of leave, having been tried for murder, Bathurst Bench. Thomas Healey, per *Waterloo* 5, for dishonest conduct, Hartley Bench. Caroline Higgins, per *Buffalo* 1, for drunkenness and keeping a disorderly house, Dungog Bench. Mary Hingwell, per *Planter* 2, being of unsound mind, Hyde Park Barrack Court. James Jackson, per *Asia* 11, for being out of his district without a pass, Maitland Bench. Joseph Jones, per *Hooghley* 4, for misdemeanor, Goulburn Bench; John Kennedy (or Martin), per *Sophia*, being unable to support himself, Maitland Bench; Stephen Lee, per *Captain Cook* 2, for stealing a blanket and two rugs, Windsor Bench; Catherine Lynch, per *Margaret* 2, for stealing, Hyde Park Barrack Court; John Madden, per *Bengal Merchant*, for drunkenness, Hyde Park Barrack Court; Daniel Mahoney, per *William Jardine*, being insane, Bathurst Bench; William Merrick, per *Dunvegan Castle* 1, for being out of his district without a pass, Maitland Bench; William Mosley, per *Fairlie*, for theft, Port Macquarie Bench; William Perkins, per *Norfolk* 2, for larceny, Bathurst Bench; Michael Reilly, per *Westmoreland* 2, for refusing to support his illegitimate child, Maitland Bench; Johanna Scanbury, per *Sarah and Elizabeth*, for immoral conduct, Liverpool Bench; John Sullivan, per *Phœnix* 3, for assault, Penrith Bench.

## NEWS FROM THE INTERIOR.

*(From our various correspondents.)*

### PORT MACQUARIE.

WE are sorry that it is our melancholy duty to record the untimely death of John M'Lean, Esq., an extensive sheep farmer in New England, who committed suicide at the Hotel Royal, in this town, on Sunday morning, the 22nd instant, by cutting his throat, arm, and temple artery. An inquiry was held on Monday, the 23rd instant, before Dr. Carlyle, J.P., as to the cause of death; the result of which was, a decision that the deceased had destroyed himself while labouring under a temporary fit of insanity. The deceased had been staying for several days at the Hotel Royal, where he had been drinking to great excess, and on Sunday morning he was discovered in his bed with the wounds above described. Medical assistance was obtained, but the unfortunate gentleman only lingered till eleven o'clock on Sunday night.

EXECUTION OF THEEKMITCHIE, THE BLACK.—This culprit arrived here on Saturday, the 21st instant, in the *Maitland* steamer, and on Wednesday following suffered the extreme penalty of the law, in front of the gaol, where a gallows had been erected. Previous to his execution, he acknowledged that he was present at the murder for which he was about to suffer, but denied having any participation in it. He also confessed to having been present at the murder of a young man named Waters, a shepherd in the employ of Messrs. Tod and Fenwicke, of New England, the particulars of which were recorded in the *Herald* about eighteen months since. He further stated that he was present at the murder of a poor woman of the name of Shaw, who was found cruelly murdered in her hut, on the Plains, about a year before the murder was committed at Gogo, for which he was now about to suffer. The culprit was attended several times in his cell by the Rev. John Cross, but who failed to make any religious impression upon him. He was perfectly aware of the fate which awaited him; but appeared to have the notion that he would soon "jump up, white fellow!" On coming out of the gaol, he stared round him, evidently struck with the appearance of the soldiers, ironed gang, and others assembled. He ascended the gallows with a firm step, and requested the executioner not to place the rope too tight about his neck. There was not a single aborigine present to witness the execution; but we have since heard that there were several in the trees on the distant hills, looking on. Mr. Keck acted as Sheriff.

THE BLACKS.—Information was brought to town on Thursday last, that between three and four hundred blacks had assembled at Cowal Creek, lying about midway between the M'Leay and Rolland's Plains; and as they were armed with all their implements of war, it was feared that their intentions were of a hostile nature. Six of the military, and two constables, under the charge of district constable Green, were immediately despatched to the scene of the black's assemblage, in order to counteract any attempt at outrage by the blacks; but of the result of their expedition we have not up to this time (Sunday morning) had any intelligence.

A stockman, just arrived here from the Manning River, states that the blacks in that district are doing considerable damage. They have spread a great number of Mr. Johnson's cattle, and Mr. Lewes's sheep.

## PENRITH DISTRICT COUNCIL.

OCTOBER 30.—At a Special General Meeting, held this day, at the Court House, Penrith.—Present, the Warden and Mr. R. V. Dulhunty,

The WARDEN regretted the non-attendance of members, on this the first occasion of the meeting of the Council, as he felt they would require the earnest attention and co-operation of all parties to carry out the measures of the Charter of Incorporation, with credit to themselves, as a body of gentlemen in whom the interests of so populous a district were vested; and however obnoxious the Act might be, if its provisions were to be enforced, he trusted the Council would take the matter in hand vigorously and with a good grace, especially as they had been relieved for the present from bearing the expenses of the rural police. He did not conceive that, though the Act provided that no business could be transacted without the presence of three members, there was any obstacle to his reading the Charter of Incorporation, and the Commission appointing the Warden; and he would therefore do so, together with the correspondence which had taken place with the Colonial Secretary, and the applications for the various offices in the gift of the Council, that a record might be made of them.

Mr. DULHUNTY begged to observe, that he had no objection to the course proposed, as he did not consider that such would affect the position he conceived himself to hold. He had, however, made his appearance there on that occasion not with a view of taking any part in the proceedings of the day, but to acquaint the Warden with his intention of not taking his seat as a Councillor: actuated in such a course by no desire to oppose or thwart the measures of the Government, but wholly from a fear that his want of qualification might render the acts of the Council illegal, and himself liable to the pains and penalties of prosecutions. He did not consider that the appointment of the Governor in any way qualified him or exonerated him from any charge that might be brought against his acts. The Governor believed him to be qualified, or he would not have nominated him to a seat in that Council, and it was his (Mr. D's) duty to disabuse the mind of Sir George Gipps.

He was aware that some other members of the Governor's nomination had tendered the resignation of their seats upon the same conviction of the impropriety of their acting without qualification, and he, as well as they, was prepared to meet the wishes of the Government in furthering the measures of the charter, provided they felt safe in so doing, and he would therefore propose that the Warden should write a letter to the Colonial Secretary, seeking information from His Excellency upon this point.

After reading the documents before referred to, the Warden adjourned the meeting, *sine die*, to enable the Council to receive a reply from His Excellency the Governor.

## ORIGINAL CORRESPONDENCE.

### REVIVAL OF TRANSPORTATION.

*To the Editors of the Sydney Morning Herald.*

GENTLEMEN,—I have perused in your journal of the 20th ult., an article in the shape of a leader, attacking the good folks who signed the Jerry's Plains petition in favour of revival of transportation to this colony. As I acknowledge myself to be not only one of the parties who signed that petition, but one who took a prominent part in getting it up, I claim the right of replying to that article through your widely circulated journal, which I trust your sense of justice and fair play will grant. The writer alluded to, after referring to that part of the petition which states the convict system to have been the main cause of the prosperity of the colony, and the cessation of transportation to be the chief cause of its present distress, comments upon Mr. Wentworth's statement in the House:—"that the revival of the 'old system,' which was a 'system of favouritism,' is not asked, is not desired, is even deprecated. He then goes on to ask, "Why, if all this good resulted from it, if all this evil has been wrought by its discontinuance, why should the majority of three, or any one else object to it?" I reply simply, because by that system men without interest at Government House could not enter the market with their produce at prices that would enable them to compete with men who had that advantage. And this was the opinion of I believe *every* person who signed the petition. They objected to place so much patronage into the hands of any man as the Governor enjoyed on the "old system;" and, although admitting that the importations into the colony on that system had been most advantageous, not only to the colony, but to Great Britain, and also to the convicts themselves, preferred foregoing altogether such advantages than have the convicts on that system of Government favouritism. This feeling caused the petition to be rejected at the meeting, but when it was pointed out to the dissentients subsequently (they had not mentioned their objection at the meeting) that what was asked for by the petition was an improved system, and that they need be under no fear that the Government sycophants would have it all their own way as heretofore, whilst such men as W. C. Wentworth, Richard Windeyer, J. D. Lang, and Wm. Bland, were the representatives of the people, they signed it almost to a man. Nor can any one be surprised that such feelings should exist, when it is remembered how unfairly the convicts were distributed; many had their 100 to 200 men each, including mechanics of every description, whilst their neighbours, men in every way as eligible, could with difficulty get any, even labourers, much less mechanics. I am at a loss to know, therefore, how the petitioners can, in consequence of having introduced the word *improved* into their petition, have rendered themselves open to the charge of inconsistency, they being of opinion that if we cannot have recurrence to transportation, on some system by which a fair distribution of convict labour can be *ensured*, we are better without it altogether. Having, I hope, satisfactorily replied to the first query of the writer in the *Herald*, I will now select another text from his production—"O, but say the petitioners, (he exclaims) we want a recurrence to transportation on an enlarged and improved scale. By enlargement we suppose they mean that convicts should be sent out in greater numbers than before." If this is really his conclusion, I fear his case is hopeless, could it not be conveyed by the word "enlarged" as placed, that the petitioners wished the system to be conducted in a more equitable and liberal manner, that the advantages derived from the convicts should not be in future chiefly confined to the friends of Government-house as heretofore, but that all persons of character, should alike share the benefits arising from their labours.

The writer next asks "What can they (the petitioners) mean by improvement?" I refer him to my reply to his first query, if after reading it he is not satisfied with their meaning, he must be indeed dull. To his queries—"Can there be more than most?—can there be greater cause than main cause?" I will will only say, that had the petition set forth, that the "old system" of transportation and assignment was the most efficient, &c., &c., &c., that *ever could* be adopted, it would have applied, but as it merely said, that it was the most efficient that *ever had* been adopted, the queries do not, in my opinion, meet its assertion. The petitioners approve of the principal of transportation and assignment, but so strong is their objection to the manner in which its detail was carried out, on the old system, that they would rather give it up altogether, than have its advantages with the same objections, therefore when asking for it they stipulated for improvement, and left it to the wisdom of the House to arrive at the best mode. I will now ask such of your readers as have taken the trouble to read the article of the writer in your journal, and have also waded through this letter, to whom the charge of an attempt to blink the truth, or to talk nonsense, best applies, whether to the writer in the *Herald*, or the Jerry's Plains petitioners?

I am, Gentlemen,
Yours obediently,
CLAN DONACHIE

Jerry's Plains, 28th October, 1843.

[This very flippant letter does not at all alter the views expressed in the article referred to. But as there is no probability of a recurrence to transportation it is useless to argue the question further.—EDS.]

## ENGLISH EXTRACT.

### COURT OF COMMON PLEAS.

TUESDAY, JUNE 20.

BARNARD GREGORY *v.* THE DUKE OF BRUNSWICK AND ANOTHER.—This was an action brought to recover damages for the injury which the plaintiff had sustained by an alleged conspiracy on the part of the defendant to drive him off the stage, and ruin him in his profession of an actor. Mr. Serjeant Shee stated the case to the jury, and said that on the 13th of February last, the Duke of Brunswick and his attorney, Mr. Vallance, the other defendant, occupied the O. P. stage-box in Covent-garden Theatre. The Duke had with him a large hunting whistle, with which he made a great noise whistling and cheering his attorney, Vallance. He should show to the Jury that the persons in the theatre who took the part of the hooting and hissing Mr. Grgory, the moment he appeared on the stage, were all laid on and instigated by the Duke of Brunswick and Mr. Vallance. On the day before the performance, Sunday, the 12th of February, a placard bad been extensively published at the west-end of the town, with a fictitious printer's name. The placard was "an address to the gentlemen of London," and announced that Mr. Gregory was about to appear on the stage. He should prove, that Mr. Vallance entered into a contract with a person named Banks, to provide a number of persons of the humblest and lowest rank to hoot down the first person that appeared on the stage in a suit of full black. Among these parties were William Simpson, Timothy O'Neil, Barnard Kilrourin, John Spilling, Timothy Foley, and others, who were all considered fit associates for the head of the illustrious house of Brunswick, to assist him in doing an injury to a private individual, and in driving Mr. Gregory from the stage. Alfred Bunn examined—I was lately the manager of Covent garden Theatre. The season closed at the end of April. I know the plaintiff. I applied to him to accept an engagement to perform at Covent-garden. He stipulated for his first appearance in *Hamlet*, and subsequently in *Shylock* and *Richard the Third*. The number of nights certain on which he was to play, was 8, 10, or 12, according to circumstances. He was to appear in the character of *Hamlet* on Monday, the 13th of February last. The plaintiff did not perform after the 13th of February. I have heard of the Shakspearian Club. I have seen their performance at St. James's Theatre, and at her Majesty's Theatre, in May last. I have seen Mr. Gregory perform there three or four times. In my judgment he is a performer of ability. I have occasionally read the *Satirist*, and knew that the plaintiff was the editor. Mr. Cooper was stage-mauager, and Mr. Bartley acting-manager. I sanctioned the issuing of orders on the evening of his appearance. I thought the English public would endure his appearance on the stage, or I should not have engaged him. Re-examined—The house was almost empty when Edmund Kean first appeared. Even Mr. Macready has failed to fill the house. With the exception of such an exotic as young Betty, I do not recollect any person filling the house on his first appearance. There was a disturbance in the O. P. stage box, which is a private box. I saw the Duke of Brunswick there, and Mr. Vallance. Mr. Vallance spoke to the audience, and declaimed to them, but I could not hear what he said. The scene before *Hamlet* ought to leave the stage is of some length. Before Mr. Gregory made his exit the same noise continued. I saw Mr. Vallance speak to the Duke, and the Duke to him. There were other persons in the box, which appeared fuller than a private box generally is. I saw the Duke of Brunswick with a whistle in his mouth. He used it while Mr. Gregory was on the stage. Mr. Gregory continued to perform his part while the riot continued. The noise ceased when the plaintiff left the stage, and was renewed when he came on again. I saw Mr. Vallance afterwards communicate with the Duke of Brunswick in the second act. An attempt was made to carry on the performance till the end of the second act, but the attempt was hopeless. The piece was terminated in consequence of the riot and disturbance that took place. I saw Mr. Vallance with his hand, point to all parts of the theatre, directing their attention to Mr. Gregory. The uproar came from the gallery as well as other parts of the house. I heard the expression, "Murderer," but I do not know where it came from.—Richard Haldon examined—"I was in the service of the Duke of Brunswick, and left it on the 20th of April. was discharged by Mr. Medhurst, the Duke's first valet for neglecting some work. While in the Duke's service, I frequently saw Mr. Vallance there. On Sunday, the 12th of February, I saw Mr. Vallance at the Duke's house in Bryanston-square. The Duke had dined when Mr. Vallance called. At that time Baron Andlau was the Duke's equerry. Mr. Vallance, Baron Andlau, and the Duke were in the same room for two or three hours. On the Monday the Duke remained in his bed-room till the evening. I recollect the Duke going to Covent-garden Theatre in a street cab. The Duke was in the habit of going to public places in his own carriage. A day or two after the Monday, Mr. Vallance called, and said to Medhurst. "We did it capital," and Medhurst said "Yes." He did not say where they did it capital. Medhurst went to the theatre on the Monday after the Duke went. He was hoarse for a day or two afterwards. I heard the Duke speak of the success which he had had in hooting Mr. Gregory off the stage, when the Duke went out that night he appeared to have his whiskers and moustache shaved off." Cross-examined—"I have had some money from Mr. Gregory's attorney: 2s. 6d. and 10s. to pay my expenses. I went to the attorney at his request. Mr. Vallance has been two or three times a week to visit the Duke." William Simpson examined.—"I am a general dealer. I mean by that, that I hawk about things in the streets. I went to Covent-garden theatre on the 13th February. I had money given me by a person outside Mr. Banks's public house, in St. Giles's. I saw Mr. Vallance two or three days afterwards at Banks's. God Almighty knows what he was doing there. I was told by the person who gave me the money to hiss when I saw a person come on in black. I did hiss when he came on." Timothy Cooksey examined—"I am any thing, that is, any thing that's honest. I know well a person named Banks. He is called 'Stunning Joe,' and he lives where I do, in Buckeridge-street, St. Giles's. We are all low people there. There is no nobs as lives there. Mr. Banks asked me if I would like to go to the theatre. I said that I should. I went to the theatre on Monday, the 13th of February. I was in the first row of the gallery when the gentlemen in black came on. I sat and hollored as well as another. If I had not hollored I should not have heard any thing, so I thought I might as well hollor. After the play I went back to Banks's, and he gave me something to drink. Cross-examined—"Mr. Gregory's attorney sent for me last Saturday week. I never saw him before." Joseph Banks examined—"I have kept a public-house in St. Giles's for nine years. The first time I saw Mr. Vallance, was on the night of the 13th February, after the play was over. It was at Garrick's Head, in Bow-street. I do not know the person of Medhurst. I gave, perhaps, 15s. to persons in St. Giles's to go to Covent-garden on the night in question. I did not tell them to shout or hiss at any one. I went to the theatre myself, and hooted and shouted like the rest. There were two different parties at the Garrick's Head, and they were congratulating each other. There were 200 persons there. Mr. Vallance was one of the 200 persons." Cross-examined—"The Garrick's is frequented by persons to get supper there. I went to hiss Mr. Gregory from public feelings." Mr. Serjeant Talfourd then addressed the Jury for the defendants, and said, that if it were possible for him to entertain a moment's distrust as to the issue of this cause, it would be because he should fear that the impression produced by the speech of his learned friend would not be wholly obliterated, even by the total failure of the evidence which he had called to support it. The question was not whether the Duke of Brunswick, smarting under the sense of intolerable wrong, or a series of intolerable wrongs, went to Covent Garden Theatre, and hissed Mr. Gregory: nor whether Mr. Vallance, with a generous feeling of indignation at the appearance of such a man on the public stage, participated in the hissing that occurred. The defendants were charged with having packed a great number of persons in order to carry into effect a preconcerted scheme of hooting Mr. Gregory off the stage. The charge of conspiracy the defendants utterly and entirely denied; but they pleaded to the hooting and the hissing spoken of in the declaration, that Mr. Gregory was a common libeller and defamer for hire, from the Queen on the throne down to persons in the humblest ranks of life, and that he extorted money from various persons by dishonest means. They then said that Mr. Gregory presented himself on the British stage as a candidate for public favour; and that, considering his appearance there as an outrage upon public decency, they hissed and hooted at him, as they had a right to do. What did Mr. Gregory say to that plea? Did he take issue upon it? No, he demurred, as it was called, charged as he was with being a common defamer for hire, and a common nuisance, he durst not take issue on the facts, but stood on the point of law. No doubt Mr. Gregory was a great actor among the members of the Shakesperian Club—a triton among the minnows; and the opinion which was formed of his abilities was very probably biassed by a comparison with very indifferent performers. He was reminded of an occasion when the great actor, Garrick, witnessed the performance of some ladies and gentlemen, who divided the best parts among themselves, but who happened to have engaged some humble but regularly educated artist to assist them, by representing some subordinate character. Mr. Garrick sat most patiently while the amateurs blundered through their parts, and at intervals ejaculated "Excellent!" "Admirable!" "Sublime!" but when the regular performer came on, surprise for a moment got the better of his politeness, and he exclaimed, "Ha, ha! they have got an actor among them." (Laughter.) He would ask the Jury if they did not believe that Mr. Gregory was engaged because he was editor of the *Satirist*, as an expedient to fill the house for one night? So much for Mr. Gregory's great talents as an actor. As regards the question of conspiracy, if the Duke and Mr. Vallance had been conspirators, the Jury might depend upon it that they would not have taken a private box so near the stage that they could be recognized by any actor in the wings. Then it was said, that the Duke of Brunswick had a whistle. Suppose he had, was that a proof of conspiracy? As to the alleged contract with Banks, Banks himself had proved the defendant's case, and made it unnecessary for him (Mr. Sergeant Talfourd) to call witnesses. Mr. Banks said that he gave several shillings to persons to go to the theatre, because he disapproved of the manner in which the *Satirist* was conducted. The Jury might remember that some years ago, when a dreadful murder was committed in Hertfordshire, for which Thurtell was afterwards executed, Probert, one of his accomplices, was admitted king's evidence. One of the minor theatres thought fit to attract a certain portion of the public by getting up a representation of the tragedy lately enacted, and in order to increase the interest of the mimic scene, the identical horse and gig in which Thurtell and his victim (Weare) went down into Hertfordshire, were purchased. It was also suggested that Probert, the deeply-dyed murderer, should appear on the stage, and take some part in the business of the drama; but the suggestion was no sooner noised about, than the indignation of the public compelled the management to relinquish that portion of the scheme. If Mr. Gregory had repented of the acts of his former life, and had resolved to discontinue his connexion with the *Satirist*, and to take up the honest calling of an actor, he (Mr. Talfourd) for one, would have been among the first to hail his repentance; but was he, the editor of the *Satirist*, to appear on the British stage and represent in Shakspere's dramas characters which appeared to be the universal and trobbing sympathy of rich and poor, high and low, raising and ennobling the nature of which they were the partakers? He admitted that the public had nothing to do with the private life of an actor, so long as it was private, and he would be one of the last to inquire into their frailties, or to punish them for yielding to the temptations to which they are peculiarly exposed: but it was another thing to feel sympathy with cold-blooded, remorseless, reckless, and unrelenting malignity. It was a different thing to say that a man who stood forward as the Editor of such a paper as the *Satirist* could be a fit representative of such a character as *Hamlet*, of that which was most human, and being most human, was most like divine. He submitted, upon the whole case, that there was no proof to fix the two defend